



## Early Journal Content on JSTOR, Free to Anyone in the World

This article is one of nearly 500,000 scholarly works digitized and made freely available to everyone in the world by JSTOR.

Known as the Early Journal Content, this set of works include research articles, news, letters, and other writings published in more than 200 of the oldest leading academic journals. The works date from the mid-seventeenth to the early twentieth centuries.

We encourage people to read and share the Early Journal Content openly and to tell others that this resource exists. People may post this content online or redistribute in any way for non-commercial purposes.

Read more about Early Journal Content at <http://about.jstor.org/participate-jstor/individuals/early-journal-content>.

JSTOR is a digital library of academic journals, books, and primary source objects. JSTOR helps people discover, use, and build upon a wide range of content through a powerful research and teaching platform, and preserves this content for future generations. JSTOR is part of ITHAKA, a not-for-profit organization that also includes Ithaka S+R and Portico. For more information about JSTOR, please contact [support@jstor.org](mailto:support@jstor.org).

## LEA ON THE INQUISITION OF SPAIN

AND HEREIN OF SPANISH AND PORTUGUESE JEWS  
AND MARRANOS

DR. LEA.

It is the fashion in American Universities to give their Professors a Sabbatical Year—one year of rest in every seven. A Harvard Don spent his year in travelling through Europe. Wherever he went he was deluged with inquiries as to Lea, the historian of the Inquisition, and, when he came to Spain, he was assured that the one American of all others whom the Spaniards wished to welcome was Dr. Lea. Among Americans—cultured Americans—Lea has long been recognized as one of the greatest of their number, and surely his fine book on the *History of the Inquisition in Spain*<sup>1</sup> can but confirm his reputation, it cannot be enhanced. To the general historian it will commend itself as a monumental history of the Holy Office in its special home. To the Jew it provides a remarkable history of the rise and fall of Judaism in Spain. To the dry-as-dust collector of records it adds a large number of lists and details of unknown dispatches, trials, autos-de-fé and other celebrations unearthed by the author from the vast stores of unpublished documents in his possession or copied at his expense. Only once, and that many years ago, has Lea crossed the Atlantic, but the gruesome MSS. at Simancas, Madrid, London, Oxford, Berlin, Halle and Copenhagen are to him an open book. Lord Acton, when in 1888 he reviewed the great *History of the Inquisition in the Middle Ages*, told a pretty story about Lea and

<sup>1</sup> *A History of the Inquisition of Spain*, by Henry Charles Lea, LL.D., in four volumes. New York and London: Macmillan, 1906-7.

Disraeli. Disraeli was informed that public libraries sent their MSS. over to America to enable Lea to write his history. "But they did not come back?" inquired the statesman. And indeed they have come back, and clothed in such inviting garb that he who runs may read. The results of his life-long study and research are now revealed in the four noble volumes which have followed each other with almost unprecedented rapidity and regularity in the last two years. Already in 1903 it was my privilege to hear extracts from these read out by the veteran author who, with the graceful condescension only attainable by the real scholar, accepted and adopted from a mere tiro additional material gleaned from a lucky haul of papers in Seville and Madrid.

#### INQUISITION OF THE MIDDLE AGES.

The present work necessarily differs from the *History of the Inquisition of the Middle Ages*. There it was the philosopher investigating the history of religious thought. Here we have the keen observer of political facts. The Inquisition, as a religious weapon of the middle ages, was an institution or organization altogether different from that of Spain, whose only aim and policy it was to make all Spaniards conform to one rigid unity of faith under penalty of exile and confiscation. Neither King nor Inquisitor is uniformly religious, but he is always eager for the penalty. It drove a political engine more potent than any previously imagined. The Pope himself was not suffered to interfere with its working, and the history of the *Suprema* was one long struggle for supremacy to which not only Jews, Moslems, Heretics and Freethinkers, but also the Civil Tribunals, the Church as by law established, the people at large, and even the king had in turn to submit. Our author, after patiently collecting his materials, claims to have presented a faithful and impartial account of this Spanish Inquisition, and indeed he has done so.

## CHURCH AND STATE.

The first book treats of the origin of the Inquisition and its establishment in Spain. We are shown how the relations between that most catholic country and Rome were never intimate or cordial. Spain had always arrogated to itself the right to what was practically ecclesiastical autonomy, but, internally, its religious associations were almost independent of the State. For centuries the royal power in Spain declined to persecute Moors or Jews, and Rome could never compel it to do so. Under the Catholic Monarchs Spain's traditional policy underwent a change. The control of the machinery of persecution passed from the "Church to the Sovereign." It was the King's Supreme Council of the Inquisition that recognized allegiance to nobody except the king, and as often as the people petitioned against the wrongs inflicted by the Inquisition or protested against the immunities claimed by its officials and familiars, the sovereign—especially if he was a Bourbon—turned a deaf ear to their complaints. Our historian accordingly exonerates the papacy and the Church generally from any large measure of responsibility for the constitution or practice or methods of the Inquisition. He claims that it was the national hatred of the heretic which, during and after the fifteenth century, converted the Spaniards from the most tolerant into the most intolerant nation of Europe. In this view a distinguished critic, influenced perhaps unconsciously by contemporary French policy, joins issue. Salamon Reinach maintains that the whole tendency of the facts so masterly grouped by Lea is to prove the direct responsibility of Rome for the ferocious bigotry of the Holy Office. The truth perhaps, which is never at the bottom of the well—nor at the surface—lies between the two. Persecution was not uncongenial either to pope or king, and, if not always welcomed for its own sake, was rejected by neither when it could advance some high political purpose.

## QUEEN ISABELLA.

In another historical verdict, Dr. Lea will probably meet with less opposition. He dissociates Ferdinand from Isabella in the establishment of the Inquisition. Examination of that king's correspondence reveals an unexpectedly favourable aspect of his character. Despite his cruelty and duplicity, his instructions always are to decide all cases "with rectitude and justice." But Isabella, Lea characterizes as a *muger baronil*, a mannish woman, whose fanatic religiousness was "due to the rigid and unbending churchmen whom she chose as her spiritual directors." Our author repudiates the modern tendency to regard the Inquisition as political rather than religious. It was no engine for bringing about a revolution from feudalism to absolutism. Absolutism was not the work of the Inquisition, and when in 1480 Ferdinand and Isabella reconstructed Castilian jurisprudence by the enactment of the *Ordenanzas reales*, they deemed religious conformity no less urgent than protection to life and property.

## JEWS AND THE CANON LAW.

In the second chapter Lea, in a few masterly strokes, sketches the history of the Spanish Jews during a thousand years. Their story is summed up in a fine sympathetic passage in which he shows how the "annals of mankind afford no more brilliant instance of steadfastness under adversity, of unconquerable strength through centuries of hopeless oppression, of inexhaustible elasticity in recuperating from apparent destruction, and of conscientious adherence to a faith whose only portion in this life was contempt and suffering" (i. 35). The Canon law, as Paramo was the first to point out, justified the maltreatment of the Jew, and barely tolerated his existence except upon terms of virtual slavery. But this very ferocity is proof of the cordial relations which subsisted between the early Christians and the Jews and which the Apostolic Canons

sought to suppress. They actually found it necessary "to forbid bishops and priests and deacons as well as laymen from fasting or celebrating feasts with Jews or partaking of their unleavened bread or giving oil to their synagogues or lighting their lamps" (i. 37). The early Christians were, as Renan has remarked<sup>1</sup>, essentially Jewish. It is only when we enter the middle ages, that "the barbarians arrive, and then began that deplorable ingratitude of humanity, now Christian, against Judaism." In 415 Cyril succeeded in ousting the Jews from Alexandria, where they had always preponderated. In 589 the Council of Toledo found it necessary to forbid the Jews to have Christian wives or concubines or servants. The offspring of such unions was to be baptized, and "the convenient doctrine was adopted that the sacrament of baptism was indelible and that, while Christianity was not to be spread by force, unwilling converts were nevertheless Christians and were subject to all the pains and penalties of heresy for any secret inclination to their own religion" (i. 41). This doctrine, by the by, became the keynote of the Inquisition 800 years later. The Arian Goths, once tolerant, became the keenest of persecutors, and had no mercy upon unfortunate converts deemed guilty of the unpardonable crime of apostasy.

#### THE MOORS.

After the Saracen invasion in 711, toleration was restored to the Peninsula. The Mozarabes, or subject Christians, were actually better treated by the Caliphs than they had been by Christian Gothic kings. The facility of conversion from one faith to another became a characteristic of Spain under the Saracens. The Jews were tolerated, though not loved, by the Moslems. As physicians and administrators, they were almost a necessity. Certainly in 850 Mahomet I dismissed all his Jewish officials, but barely a hundred years later their standing was such that when

<sup>1</sup> Renan, *Le Judaïsme et le Christianisme*. Paris: Calmann Lévy, 1883.

the Jew Ibn Peliag went to visit the Caliph of Cordova 700 Jewish retainers rode with him, all richly clad and riding in carriages. But again in 1066—the year that brought the Jews to England—those of Granada were massacred and pillaged, and among the 4,000 martyrs was Samuel ha Levi the Nagid.

Part of Spain was reconquered in the thirteenth century by San Alfonso III, but, while most of the Peninsula remained Moorish, it was not policy to persecute Mudejares, free Moors, or even Jews.

#### JUDERIAS AND CONVERSOS.

The Church, however, made mighty efforts at their conversion. The *converso* was then a special favourite of the legislature, but, instead of attempting a policy of assimilation, the Church used every effort to keep Christians apart from Jews and Moors on the humiliating pretext that she would lose more souls than she would gain. Hence Morerías and Juderías were established in their cities to segregate their inhabitants from the Christians. But it was not till 1412 that every city was enjoined by law to establish Morerías and Juderías surrounded by a wall having only one gate. In 1480 Ferdinand and Isabella, finding that the law had not been observed, ordered its enforcement, allowing two years for the establishment of these ghettos, and yet

in the closing triumph over Granada the capitulations accorded by Ferdinand and Isabella were even more liberal to Jews and Moors than those granted from the eleventh to the thirteenth century by such monarchs as Alfonso VI, Ferdinand III, Alfonso X, and Jaime I. Unless they were deliberately designed as perfidious traps, they show how little real conscientious conviction lay behind the elaborately stimulated fanaticism which destroyed the Jews and Mudejares (i. 79).

The third chapter deals in fuller detail with the Jews and *conversos*. Though the Crusades had no permanent influence on the condition of the Spanish Jews, the Church was helped in its efforts to arouse popular hatred by the

odium which the Jews themselves excited. With considerable psychological insight, Lea points out that

a strong race is not apt to be an amiable one. The Jews were proud of their ancient lineage and the purity of their descent from the kings and heroes of the Old Testament. A man who could trace his ancestry to David would look with infinite scorn on the *hidalgos* who boasted of the blood of *Lain Calvo*, and, if the favour of the monarch rendered safe the expression of his feelings, his haughtiness was not apt to win friends among those who repaid his contempt with interest. The Oriental fondness for display was a grievous offence among the people. The wealth of the kingdom was, to a great extent, in Jewish hands, affording ample opportunity of contrast between their magnificence and the poverty of the Christian multitude, and the lavish extravagance with which they adorned themselves, their women, and their retainers, was well fitted to excite envy more potent for evil because more widespread than enmity arising from individual wrongs. Shortly before the catastrophe, at the close of the fifteenth century, *Alfonso V* of Portugal, who was well affected towards them, asked the chief rabbi, *Joseph Ibn Jachia*, why he did not prevent his people from a display provocative of the assertion that their wealth was derived from robbery of the Christians, adding that he required no answer, for nothing save spoliation and massacre would cure them of it (i. 96).

#### MEDIAEVAL PERSECUTIONS.

The author touches with a light hand on the various persecutions, with corresponding massacres, to which the Jews had to submit—that of Navarre in 1328, that of the Black Death, that of *Bertrand de Guesclin* and his hordes of Free Companions in 1366. *Pedro the Cruel*, who became king of Castile in 1350, and who had married the daughter of *King Edward* of England, had surrounded himself with Jews, and confided to them the protection of his person, and shown such Jewish proclivities that he was himself asserted to be a Jew. It was, therefore, only natural that the rebellious faction led by his brother should declare themselves enemies of the Jewish race. In 1388 the fanatical ecclesiastic *Fernan Martinez* threatens to tear down the twenty-three synagogues of Seville and, despite the opposition of king and archbishop, succeeded three



years later in causing the destruction of the *Judería* there and the massacre or enforced baptism of its inhabitants. This "*guerra sacra contra los Judios*" formed a turning-point in Spanish history. Henceforth the old friendliness between Jew and Christian became a thing of the past, and gradually the Spanish character changed until it was prepared to accept the Inquisition. Lea, therefore, looks upon Martinez as the real, though remote, founder of the Inquisition.

#### MARRANOS OF 1391.

It was the massacres of 1391—a date even more ominous to Jews than 1492—which created the new class of converted Jews known as "New Christians," "*Marranos*," or "*Conversos*." At that date conversion was favoured by law, and the convert was received with a heartiness of social equality which shows that, as yet, there was no antagonism of race but only of religion. The Jew who became a Christian was eligible to any position in Church or State, or to any matrimonial alliance. These massacres spread to Barcelona, Palma, Valencia, and Toledo, and whole communities were baptized. Panic destroyed the unyielding fortitude so often manifested by the Jews under trouble. They clamoured to be admitted into the Church, and the conversions in Castile and Aragon were said to be numbered by the hundred thousand. The *Conversos* thus produced were the direct causes not only of the establishment of the Spanish Inquisition, but also of the expulsion of the Jews from Spain.

Dr. Lea says they became the deadliest opponents of their former brethren. Many who have traced the history of the *Marranos* in Spain and out of it will question whether that statement is not too sweeping, if it is true at all, but there is undoubtedly psychological justification for the attitude our author takes up. In a fine passage he says:—

Whether their conversion was sincere or not, they had broken with the past and, with the keen intelligence of their race, they could see

that a new career was open to them in which energy and capacity could gratify ambition, unfettered by the limitations surrounding them in Judaism. That they should hate, with an exceeding hatred, those who had proved true to the faith amid tribulation, was inevitable. The renegade is apt to be bitterer against those whom he has abandoned than is the opponent by birthright, and, in such a case as this, consciousness of the contempt felt by the steadfast children of Israel for the weaklings and worldlings who had apostatized from the faith of their fathers gave a keener edge to enmity. From early times the hardest blows endured by Judaism had always been dealt by its apostate children, whose training had taught them the weakest points to assail, and whose necessity of self-justification led them to attack these mercilessly (i. 113).

#### ANTI-JEWISH LAWS OF 1411.

Then he refers to Paul of Burgos and his controversial writings, to Joshua Lorqui and his *Hebraeomastix* and to Bonafos Caballerías. He shows how those men, in stimulating the spirit of persecuting fanaticism, sowed the wind and reaped the whirlwind. The persecutions which followed the massacres of 1391 induced a constant stream of emigration to Granada and Portugal, and though, in 1395, Henry III promised them royal protection, it was he also who required them to wear the hateful red circlet. In 1411 San Vicente Ferrer, Bishop of Segovia, caused further oppressive laws to be passed against the Castilian Jews in the hope of forcing them into the bosom of the Church by reducing them to despair. These Spanish laws were not unlike the May laws adopted in Russia 500 years later. They debarred the Jews from trades and intercourse, while the Conversos were enabled to make the most brilliant careers. Their intellectual capacity justified their aspiring to the highest places "in the Courts, in the Universities, in the Church, and in the State." They entered into matrimonial alliances with the noblest houses in the land, and the clergy recommended marriage between converts and Christians as the surest means of preserving the purity of the faith. New Christians were described by

contemporaries as "virtually ruling Spain whilst secretly perverting the faith by their covert adherence to Judaism." This is not quite consistent with what had been previously laid down as to their hatred of the Jews, but anyhow their triumph was shortlived.

The hatred and contempt which, as apostates, they lavished on the faithful sons of Israel reacted on themselves. It was impossible to stimulate popular abhorrence of the Jew without at the same time stimulating the envy and jealousy excited by the ostentation and arrogance of the New Christians. What was the use of humiliating and exterminating the Jew if these upstarts were not only to take his place in grinding the people as tax gatherers, but were to bear rule in court and camp and church? (i. 121).

In 1442 there was some indication of a reaction in favour of the Jews by way of counterpoise to Converso influence. Papal bulls provided that Christian and Jew should dwell in harmony; the king's physician, Jacob Aben-Nuñez, was appointed Rabb Mayor (Chief Rabbi). The Cortes of 1462 petitioned Henry IV to restore liberty of trade between Christian and Jew. The Jews offered him an immense sum for Gibraltar, where they proposed to establish a city of refuge, but he refused. On his deposition, the laws of 1411 were restored. In 1475 the Jews of Medina del Pomar successfully complained to Ferdinand and Isabella that their port had restricted all dealings with foreigners to the Jews resident in Bilbao, where they had been accustomed to purchase cloths and other merchandise from foreign traders. Despite these vicissitudes, the oppression of Jews reached its climax with the settlement of the country under the Catholic Monarchs. With the recrudescence of oppression

came a revulsion of feeling adverse to the proscribed race inflamed by the ceaseless labours of the frailes whose denunciatory eloquence knew no cessation. Under these circumstances, the Jews and Moors seem to have had recourse to the Roman curia, always ready to speculate by selling privileges whether it had power to grant them or not, and then to withdraw them for a consideration (i. 124).

## DECLINE OF JEWISH POPULATION.

While the Conversos had accumulated enormous wealth and popular hatred, the number of professed Jews had greatly declined. In 1474 there were only 12,000 Jewish families left in Castile, and so the importance of Jews as a source of public revenue had fatally diminished. Such communities as those of Seville, Toledo, Cordova, and Burgos paid much less than towns inconspicuous prior to 1391. The Conversos, as farmers of the taxes, succeeded to the odium as well as to the profits of the Jews, and extreme tension existed between the Old and the New Christians. The latter were stigmatized as more than suspect in the faith, and as in reality Jews, and despite the bull of Nicholas V (1449) declaring that all the faithful are one, the hatred which of old had been merely a matter of religion had become a matter of race. The one could be conjured away by baptism, the other was indelible, and the change was of the most serious import, exercising for centuries its sinister influence on the fate of the Peninsula (i. 126).

## RACIAL HATRED.

Old Christians and New were constantly quarrelling, and sometimes fought in the streets of Toledo, Valladolid, and Cordova. On Ferdinand's accession, Dominicans and Franciscans were thundering from the pulpits and calling on the faithful to purify the land from the pollution of Judaism—secret as well as open.

Wise forbearance, combined with vigorous maintenance of order, would in time have brought about reconciliation, to the infinite benefit of Spain, but at a time when heresy was regarded as the greatest of crimes and unity of faith as the supreme object of statesmanship, wise forbearance and toleration were impossible. After suppressing turbulence, the sovereigns therefore felt that there was still a duty before them to vindicate the faith. Thus, after long hesitation, their policy with regard to the Conversos was embodied in the Inquisition, introduced towards the end of 1480. The Jewish question required different treatment, and it was solved, once for all, in most decisive fashion.

The Inquisition had no jurisdiction over the Jew, unless he ren-

dered himself amenable to it by some offence against the faith. He was not baptized; he was not a member of the Church, and therefore was incapable of heresy, which was the object of inquisitional functions. He might, however, render himself subject to it by proselytism, by seducing Christians to embrace his errors, and this was constantly alleged against Jews, although their history shows that, unlike the other great religions, Judaism has ever been a national faith with no desire to spread beyond the boundaries of the race. As the chosen people, Israel has never sought to share its God with the Gentiles. There was more foundation, probably, in the accusation that the secret perversity of the Conversos was encouraged by those who had remained steadfast in the faith, that circumcisions were secretly performed, and that contributions to the synagogues were welcomed.

While the object of the Inquisition was to secure the unity of faith, its founding destroyed the hope that ultimately all the Jews would be gathered into the fold of Christ. This had been the justification of the inhuman laws designed to render existence outside of the Church so intolerable that baptism would be sought as a relief from endless injustice, but the awful spectacle of the autos-de-fé and the miseries attendant on wholesale confiscations led the Jew to cherish more resolutely than ever the ancestral faith which served him as shield from the terrors of the Holy Office and the dreadful fate ever impending over the Conversos. His conversion could no longer be hoped for, and, so long as he remained in Spain, the faithful would be scandalized by his presence, and the converts would be exposed to the contamination of his society. The only alternative was his removal (i. 130-1).

Policy and fanaticism were irreconcilable. The war with Granada was expensive, and it may be that the threatened expulsion was rather a financial than a religious measure adopted with a view of selling suspensions and exemptions. With the surrender of Granada in 1492 the work of the reconquest was accomplished. The Jews had zealously contributed to it and had done their work too well, and the Jews were no longer financially indispensable. "Der Mohr hat seine Pflicht gethan. Der Mohr kann gehn."

#### TORQUEMADA.

Torquemada neglected no means of proving Jews a danger to the Church. In June, 1490, he had trumped up

a case of sacrilege against a Converso of having a consecrated wafer in his knapsack at Astorga. A year later he invented the story of the crucifixion at La Guardia of a Christian child, though no child had anywhere been missed, and no remains were found at the spot where it was said to have been buried. "Three deceased Jews were burned in effigy, and two living ones were torn with red-hot pincers, and some Conversos were reconciled and strangled before burning" (i. 134), and the sentence Torquemada had translated into Catalan and published in Barcelona. The author deals with this case at length in his *Studies from the Religious History of Spain*, and Padre Fidel Fita quotes the records of the trial in Volume XI of the *Boletín*.

#### THE EXPULSION.

The expulsion of the Jews from all the Spanish dominions was decided on and fixed for the 7th of Ab, and all that the influence of Abravanel and Abraham Senior could effect was to obtain two days' grace, bringing it to the 2nd of August. This accounts for the discrepancy between the dates given as the date of the expulsion. Efforts were even made to follow exiles and secure their property, and Henry VII of England and Ferdinand of Spain were appealed to for assistance in such cases. The author then describes feelingly and eloquently the bearing of the Jews under their tribulation. Unlike 1391 there were comparatively few renegades. The Inquisition had altered the situation, and now the dread of exile was less than that of the Holy Office and the stake.

There was boundless mutual helpfulness; the rich aided the poor, and they made ready as best they could to face the perils of the unknown future. Before starting all the boys and girls over twelve were married. Early in July the exodus commenced, and no better idea of this pilgrimage of grief can be conveyed than by the simple narrative of the good *cura* of Palacios. Disregarding, he says, the wealth they left behind, and confiding in the blind hope that God would lead them to the promised land, they left their homes, great and small, old and young, on foot, on horseback, on asses or other

beasts or in wagons, some falling, others rising, some dying, others being born, others falling sick. There was no Christian who did not pity them: everywhere they were invited to conversion, and some were baptized, but very few, for the rabbis encouraged them, and made the women and children play on the timbrel. Those who went to Cadiz hoped that God would open a path for them across the sea; but they stayed there many days, suffering much, and many wished that they had never been born. From Aragon and Catalonia they put to sea for Italy or the Moorish lands or whithersoever fortune might drive them. Most of them had evil fate, robbery, and murder by sea and in the lands of their refuge. This is shown by the fate of those who sailed from Cadiz. They had to embark in twenty-five ships, of which the captain was Pero Cabron; they sailed for Oran, where they found the corsair Fragoso and his fleet; they promised him ten thousand ducats not to molest them, to which he agreed, but night came on, and they sailed for Arcilla (a Spanish settlement in Morocco), where a tempest scattered them. Sixteen ships put into Cartagena, where a hundred and fifty souls landed and asked for baptism; then the fleet went to Malaga, where four hundred more did the same. The rest reached Arcilla and went to Fez. Multitudes also sailed from Gibraltar to Arcilla . . . but they were robbed on the journey and their wives and daughters were violated (i. 139).

#### NUMBER OF EXILES.

Fire and pestilence, murder and rapine made their fate so unendurable in Morocco, that many sought to return to their native land. So much so, that Ferdinand and Isabella set guards to keep them out unless they had money to support themselves. In 1499 an edict was issued forbidding Jews to return even for baptism unless this had been previously notarially sanctioned. Lea's estimate of the number of exiles is comparatively low. He thinks even Loeb's calculation of 165,000 emigrants, 50,000 baptized, and 20,000 Jews is too large, but, says he, the sum of human misery was incomputable, "yet such were the convictions of the period . . . that this crime against humanity met with nothing but applause among contemporaries" (i. 143). The sober view of our author is confirmed by a letter from Castile to Rome and Lombardy in 1487, found by Prof. A. Marx in the binding of a book belonging to the Jewish Theological

Seminary of America, which has just been published<sup>1</sup>. This gives the number of Jewish families in Castile as only 14,000. From Granada, a local authority of the eighteenth century states that 420 Jews, belonging to 120 families, proceeded under Isabella's decree of March 3, 1492<sup>2</sup>. The sovereigns who exiled them were in 1495 granted the proud title of Catholic Monarchs, but the edict of expulsion proclaimed to the world "the policy which in its continuous development did so much for the abasement of Spain. At the same time it closed the career of avowed Jews in the Spanish dominions. Henceforth we shall meet with them as apostate Christians, the occasion and the victims of the Inquisition" (i. 144).

## JUDAIZERS.

Their change of religion was not altogether an advantage. As Jews they enjoyed complete freedom of faith, in which they were subjected only to their own Rabbis, and under the jurisdiction of their own not always lenient Courts of Justice (*Beth Din*). But, once members of the Church, they became amenable to its laws for any aberration from orthodoxy. Now Rabbinical Judaism so entwines itself

with every detail of the believer's daily life, and attaches so much importance to the observances which it enjoins, that it was impossible for whole communities thus suddenly Christianized to abandon the rites and usages which, through so many generations, had become a part of existence itself. Earnest converts might have brought up their children as Christians, and the grandchildren might have outgrown the old customs, but the Conversos could not be earnest converts, and the sacred traditions, handed down by father to son from the days of the Sanhedrin, were too precious to be set aside. The Anusim, as they were known to their Hebrew brethren, thus were unwilling Christians, practising what Jewish rites they dared, and it was held to be the duty of all Jews to bring them back to the true faith (i. 145).

<sup>1</sup> *J. Q. R.*, XX, 247.

<sup>2</sup> Noticias varias de . . . Granada . . . por Don Josef Dom<sup>o</sup> Chantoli . . . Año de 1784 (MS. Adler).



And so one found councillors of state and even bishops inclined to "Judaize"—a new word coined to exemplify a new habit—and this is suggested as the ground of an application by Juan II in 1451 to introduce the Inquisition for the chastisement of Judaizing Christians. But papal authority did not suffice for the organization of the Inquisition. To Rome the Spaniard had never shown very much respect. It was on the secular power that the Spanish Inquisition relied for its efficiency, even as it was to the secular arm that it handed its victims. *En passant*, Lea quotes from the  *Fortalitium Fidei*  of Fray Alonso de Espina (whom he declares to be an Old Christian and no apostate) a curious reference to the Khozars which has escaped the notice of historians less painstaking and less learned.<sup>1</sup> Alexander the Great, says Fray Alonso, "shut the Jews up in the mountains of the Caspian adjoining the realms of the great khan or monarch of Cathay. There, between the castles of Gog and Magog, confined by an enchanted wall, they have multiplied, until now they are numerous enough to fill twenty-four kingdoms. When Antichrist comes they will break loose and rally around him, as likewise will all the Jews of the Diaspora, for they will regard him as their promised Messiah" (i. 150).

#### INQUISITION ESTABLISHED.

There was a prolonged struggle at court before the Inquisition was adopted. Ferdinand and Isabella, habitually jealous of papal encroachments, did not at once respond to the papal zeal for the purity of the faith. Modern apologists, says Lea, err in assuming that it was from humanitarian motives that they delayed. They desired "not the ordinary papal Inquisition, but one which should be under the royal control, and should pour into the royal treasury the resultant confiscations." The Papal Bull for its authorization was dated November 1,

<sup>1</sup> Fray Alonso evidently derived his story from one of the versions of the Pseudo-Callisthenes.

1478, and in a characteristic note Lea comments on the singularity of the fact that the Inquisition possessed very few documents relating to its early history, and from a *consulta* of July 18, 1703, he infers that they were in a chest which disappeared on the arrest of the secretary of Philip III. He points out that when Innocent VIII renewed Cardinal Torquemada's commission from Spain on March 28, 1486, it was only "ad nostrum et dictae sedis beneplacitum," whereas in the case of Torquemada's successors this formula was abandoned. But in a Bull dated April 9 of the same year the pope confirms Torquemada as inquisitor-general of Castile and Arragon absolutely and without this qualification, and expressly directs that appeals from Inquisitors shall be "non ad nos seu sedem Apostolicam sed ad te"—not to the pope, but to Torquemada. A certified copy of this bull under seal dated July, 1703, was acquired in Madrid just two centuries later, with a large number of other documents<sup>1</sup>. The seller stated that they came from the estate of a family whose ancestor had been secretary of the Inquisition. Possibly this was Llorente himself, who in a letter dated December 12, 1822, which was acquired in Paris, explains that he is to return to Madrid, having been expelled from France for publishing books much opposed to the doctrine and ideas of the French Government. The copy was evidently made in connexion with the search for documents by the Suprema to which Lea refers. Anyhow the Inquisition was first established in Seville, whence many of the Conversos had fled to the lands of the neighbouring nobles "in the expectation that feudal jurisdictions would protect them even against a spiritual court such as that of the Inquisition" (i. 161). Others preferred resistance to flight, but their plot was betrayed by a fair woman, the daughter of one of their number, Diego Susan,

<sup>1</sup> See Documents published in the *Revue des Études Juives* in vols. XLVIII-L, and in the *J. Q. R.*, some of which Lea quotes in the third and fourth vols., together with other documents not yet published.

and five of them were burned at the first auto-de-fé on February 6, 1481, and the parricide daughter lived to regret her infamy. She left a convent to follow a career of shame, and when she died in want directed that her skull should be placed as a warning over the door of her house, where it is still to be seen in the Calle del Artaud near its entrance hard by the Alcázar.

The first tribunal was established at Ciudad-Real in 1483 for the province of Toledo, to which city it was transferred two years later, perhaps because the archbishop was specially zealous for the faith. An "Edict of Grace" was promulgated for a period of two months. This was a fiendish device to enable such as felt themselves in danger to come forward, confess, and be reconciled to the Church upon terms that they divulged all they knew of other heretics. Terrorized cowards scrupled not to denounce their nearest and dearest. At one auto-de-fé no less than 1,500 such penitents were exhibited. The testimony thus obtained indicates the careless security in which the Conversos had lived, and allowed their Jewish practices to be known to Christian servants and acquaintances.

#### HEBREW PRINTING IN SPAIN.

In the *Revue des Études Juives*, 1907, Mitrani-Sarmian, in an interesting article, proves the existence of a Hebrew printer in Spain before 1481. In that year one Ganso deposed that, when he lived at Montalban, Juan de Lucena used to print Hebrew books there, which he sold in the land of the Moors in Granada. Lucena's daughters also printed Hebrew books, and five out of the six were prosecuted by the Inquisition. In addition to the authorities quoted in the article there is a reference to Teresa de Lucena, then the widow of Juan de Idrada, in the *Catálogo de Toledo* (p. 204). She was condemned in 1549, and the documents of her trial are preserved in the Archivo Histórico Nacional (bundle 163, No. 525). The whole question of Hebrew

incunables in Spain has yet to be investigated. Copies of only nine such are known to be extant, but the fragments from the Cairo Genizah contain pages from at least as many more, including the Spanish Prayer Book (Cituri, i.e. Siddur, en Romance) and Spanish Bible (Biblia romançada) referred to in Mitrani-Sarmian's documents. Most of these must have been destroyed. Already in 1490 a large number of Hebrew Bibles and other Jewish books were burnt, and "soon afterwards in Salamanca it consigned to the flames in an auto some six thousand volumes of works on Judaism and Sorcery" (iii. 480).

It is only natural to suppose that the first Hebrew books were printed in Spain before February, 1475, the date of the earliest known Hebrew incunable. The Jews of Spain were in those days wealthier and more intellectual than their Italian brethren. Significantly enough that very book was printed in Reggio di Calabria, at that time part of Spanish Italy, and the character of its type is distinctly Spanish.

#### PROCEDURE.

Another device of the Inquisition was to summon the Jewish rabbis and require them under penalty of death and confiscation to "place major excommunication on their synagogues, and not remove it until the members should have revealed everything within their knowledge respecting Judaizing Christians" (i. 168). In Seville, Judah Ibn-Verga expatriated himself to avoid compliance with such a demand. This was the famous author of the *Shebet Jehuda*, whose work was continued and published by his son in Adrianople in 1554. Lea gives full details of the establishment of tribunals in the various provinces. He points out how, from the first, the procedure was differentiated from that of the Papal Inquisition which had been so effective in the thirteenth and fourteenth centuries throughout Europe. Ferdinand and Isabella intended the Spanish Inquisition to be a national institution strongly

organized and owing obedience to the Crown much more than to the Holy See. It had become an affair of State of the first importance, but did not come within the purview of the four royal councils, among whom since 1480 the affairs of government were distributed. Accordingly a fifth council was appointed called the "Council of the Supreme and General Inquisition," with jurisdiction over all matters connected with the faith. "La Suprema," as it was called for short, like the other councils, met daily in the palace for dispatch of business, but it soon burst through its courtly trammels and became vastly more important. Its president was a new official of almost boundless power, the President or Inquisitor-General. The Papal Brief appointing Torquemada, the royal choice, has never been found, but it must have been earlier than October 17, 1483. Under his guidance the Inquisition rapidly took shape, and extended its organization throughout Spain. It was untiring and remorseless in the pursuit and punishment of apostates. The popes praised Torquemada for his labours. Thus the infamous Borgia, Alexander VI, "assures him in 1496 that he cherishes him in the very bowels of affection for his immense labours in the exaltation of the faith" (i. 174). Torquemada, though himself an ascetic, dwelt in palaces surrounded by a princely retinue. He accumulated vast wealth, but lived in perpetual fear of assassination. It was owing to his zeal that verdicts of acquittal were so infrequent in the early days. He became so mighty that the Curia took alarm, and there were frequent quarrels between him and the papal nominees. "There was a constant struggle on the one hand to render the Spanish Holy Office national and independent, and on the other to keep it subject to papal control" (i. 178).

#### JURISDICTION OVER CLERICS.

Special faculties were required to degrade ecclesiastics condemned by the Inquisition. So long as they were in orders, clerics were exempt from secular jurisdiction,

and it was necessary to degrade them before they could be delivered to the civil authorities for burning. This was a serious impediment, as many Judaizing Conversos were found among clerics. In 1516 Charles V made his tutor, Cardinal Adrian of Utrecht, Inquisitor-General of Aragon, and six years later by the like influence he became pope, successor and predecessor of the two famous Medicean popes. Lea then proceeds to deal with the various "Instrucciones Antiguas" or rules which governed the Inquisitorial Court. The first collective print under Inquisitor-General Manrique was issued in Seville in 1537, of which there is a copy in the Bodleian Library. The only other copy known was found by the writer of these lines at Lima bound up with the manuscript instructions given by Cardinal Espinosa for the appointment of the American Inquisition in 1569.

#### CONFISCATIONS.

The Inquisition soon became autonomous—an *imperium in imperio*—with all the resources of the State at its disposal. No wonder its terror spread over the land and thousands sought safety in flight. Statistics of the early autos-de-fé show that their living victims were far outnumbered by the effigies of the absent. If the object of the Inquisition had simply been

to purify the land of heresy and apostasy, this would have been accomplished as well by expatriation as by burning or reconciling, but such was not the policy which governed the sovereigns, and edicts were issued forbidding all of Jewish lineage from leaving Spain, and imposing a fine of five hundred florins on shipmasters conveying them away. This was not, as it might seem to us, wanton cruelty, although it was harsh, inasmuch as it assumed guilt on mere suspicion. To say nothing of the confiscations, which were defrauded of the portable property carried away by the fugitives, we must bear in mind that, to the orthodox of the period, heresy was a positive crime, nay, the greatest of crimes, punishable as such by laws in force for centuries, and the heretic was to be prevented from escaping its penalties as much as a murderer or a thief (i. 183).

Again, in 1502 the Inquisition obtained a royal edict ordering "that no ship-captain or merchant should transport across seas any New Christian, whether Jewish or Moorish, without a royal licence," and officers were sent to the seaports to arrest any such (i. 184). Naturally power so irresponsible was often abused, and Lea notes that Ferdinand was as a rule prompt to intervene in favour of the oppressed. He bids the inquisitor remember that the only object of the Inquisition is the salvation of souls. The king's correspondence shows what a sincere bigot he was. After witnessing the auto-de-fé in Valladolid in September, 1509, he writes to express the great pleasure which it had given him as a means of advancing the honour and glory of God and the exaltation of the Holy Catholic faith. Inquisitors were in the habit of sending to him, as well as to the Suprema, "Relaciones" or reports of the autos they celebrated, and he would acknowledge receipt in terms of high satisfaction.

#### RESISTANCE TO THE INQUISITION: LUCERO.

A quarter of a century elapsed before there was any serious resistance to the Inquisition. Lucero the inquisitor made himself prominent by his excesses at Cordova, and produced a veritable reign of terror, and the favour shown to him seems to have been due to the pecuniary results of his activity. While elsewhere the confiscations which had at first contributed largely to the royal treasury were diminishing, their productiveness at Cordova rapidly grew.

Lea shrewdly suggests that redistribution of offices was an element which at first reconciled the Old Christians to the Inquisition. These had been largely in the hands of Conversos. They had to vacate them, and the vacancies thus created passed into the hands of the receivers, and were distributed by the sovereigns as favour or policy might dictate. The Conversos, realizing that it was useless to appeal to Ferdinand, had recourse to Philip, whose wife, Juana, Ferdinand's daughter, governed Castile for him as

titular queen. She and her husband issued a cedula to the inquisitor, Don Deza, suspending the Inquisition until they arrived in Castile, but no attention was paid to this command. They were aware (i. 196) that their "action had produced a bad impression, for the people were hostile to the Conversos, and there was talk of massacres like that of Lisbon"—a curious anticipation of the Black Bands of Russia in 1906. After Isabella's death, Lucero saw a chance of striking at the highest quarry yet aimed at, Talavera, the veteran archbishop of Granada. Though he had a Jewish strain in his blood, he was revered as the pattern and exemplar of all Christian virtues. Lucero selected a woman whom he had tortured on the charge of being a Jewish prophetess and maintaining a synagogue in her house. He threatened her with further torture unless she testified that she had seen things he suggested in a room at Talavera's palace, imputing Judaism to the archbishop and his whole family and household. As bishops were outside the direct jurisdiction of the Suprema, Ferdinand was induced to apply to Rome for authorization to prosecute Talavera. The papal commission for his trial was dispatched in June, 1506, but meantime a court intrigue gave the Conversos a short respite. Queen Juana, whose story, says Lea, "is one of the saddest in the annals of royalty, and her treatment by her father, husband, and son is a libel on human nature," was locked up as insane, her husband Philip assumed the government, and proving amenable to the golden arguments of the Conversos, opposed the Inquisition (i. 200). Lucero tried to anticipate his fall by burning all his prisoners so as to get them out of the way, but after an auto-de-fé arranged for the purpose had been announced, there came orders from the sovereigns which fortunately prevented the holocaust, and Lucero and some of his colleagues were removed from Cordova.

This triumph of the Conversos was short-lived, for the sudden death of Philip enabled Deza to restore Lucero to power. Pope Julius II was appealed to in vain. He wrote



Deza that the Jews pretending to be Christians who had dared to rise against the Inquisition must be exterminated root and branch. But again the reaction in favour of the Inquisition did not last long, for the rival factions of the two grandfathers of Charles V, Maximilian I and Ferdinand, each striving for the regency during his minority, both desired support from the Conversos. Political intrigues resulted in the famous Bible Cardinal Ximenes, as president of a "Congregación Católica" or Royal Commission, pronouncing sentence on Valladolid in July, 1508, restoring the honour of Castile and Andalusia which had been so deeply compromised by the pretended revelations extorted by Lucero, and declaring that there was no ground for the asserted existence of synagogues, the preaching of sermons, and the assembling of missionaries of Judaism. But the interests involved in the confiscations were too many and too powerful for the victims to obtain justice. Ferdinand was determined to undo the results achieved by Ximenes. The trial of Lucero became a farce, he was dismissed from his office without further punishment. Though Lucero was an exceptional monster, it may safely be assumed (i. 211) that the temptations of secrecy and irresponsibility rendered frightful abuses, if not universal, at least frequent. Other communities also appealed to Philip during his short reign, and the details set out in their petitions seem incredible. In Cordova, one witness, a perjurer, drunkard, gambler, forger, and clipper of coins, sufficed to crowd the gaol of Cordova with 200 victims. The notary of the tribunal on one occasion locked a young girl of fifteen in a room, stripped her naked, and scourged her till she consented to bear testimony against her own mother. A prisoner was carried in a chair to the auto-de-fé with his feet burnt to the bone. When property was confiscated it could be bought cheap, and so informers told of heretics. With Ferdinand's death in 1516 the Inquisition proved to be too firmly rooted to be essentially reformed. The will of Ferdinand, executed the day before his death in 1516,

solemnly adjured his grandson and successor Charles V to labour with all his strength to destroy and extirpate heresy and appoint ministers God-fearing and of good conscience to conduct the Inquisition. The successor of Ximenes as inquisitor-general was the emperor's tutor, Adrian, afterwards pope, who, though well-intentioned, was weak and confiding, but who ultimately acquired a complete ascendancy over Charles in favour of the Holy Office.

#### CHARLES V.

Charles V, a youth of seventeen, was as clay in the hands of the potter, surrounded by grasping Flemish favourites, whose sole object, as far as concerned Spain, was to sell their influence to the highest bidder. During the interval before his coming to take possession of his new dominions he fluctuated in accordance with the pressure which happened momentarily to be strongest. The Spaniards who came to his court gave fearful accounts of the Inquisition, which they said was ruining Spain, and we are told that his counsellors were mostly Conversos who had obtained their positions by purchase. In the prologue to his subsequent abortive project of reform, Charles says that while in Flanders he received many complaints about the Inquisition, which he submitted to famous men of learning and to colleges and universities, and his proposed action was in accordance with their advice. Ximenes was alive to the danger, and it was doubtless by his impulsion that the Council of Castile wrote to Charles that "the peace of the kingdom and the maintenance of his authority depended on his support of the Inquisition" (i. 216). Charles continued to vacillate, proposing at one time to banish from his court all those of Jewish blood, at another to forbid the suppression of the names of witnesses, one of the crowning atrocities of the Inquisition, for which Ferdinand and Isabella had refused 1,200,000 ducats. This uncertainty as to the views of Charles sensibly diminished the awe

felt for the Inquisition. When Charles, after his arrival in Spain, held his first Cortes at Valladolid in 1518, the deputies petitioned him. They formally complained of the Inquisition and showed that the people felt the whole Office to be an engine of oppression for the furtherance of private ends and to the disregard of law and justice. His chancellor thereupon attempted some reform, but on his death the scheme was dropped, though Charles, in congratulating Adrian on his elevation to the papacy in 1522, suggests that he should be careful in his appointments, and provide the proper means to prevent the Inquisition from punishing the innocent, and its officials from thinking more about the property of the condemned than the salvation of their souls. Various offers were made by the New Christians, as well as by the Moriscos, to bribe Charles to remove secrecy from the procedure, and to give the inquisitors salaries and not pay them by results, but all these efforts proved futile, and the Inquisition continued to shroud its acts in impenetrable darkness.

#### ASSASSINATION OF ARBUES.

In Aragon, although founded as early as 1238, the Inquisition had sunk into a condition almost dormant during the spiritual lethargy of the century preceding the Reformation, but greed and fanaticism joined hands at the prospect of wealthy Conversos to be punished, and so the re-organized tribunal of Valencia was vigorously started in 1482. Pope Sixtus, in response to appeals and bribes, intervened, but Ferdinand satirically writes that if the pope has thus yielded to the cunning persuasions of the New Christians, he, the king, did not intend ever to allow them to take effect. The poor Conversos of Aragon, like those of Castile, were merely used as pawns in the pitiless game of king and pope over their despoilment. The establishment of the Inquisition met with similar opposition in Valencia, Saragossa, and Teruel. But the assassination

of inquisitor Arbues in 1485 produced a revulsion of feeling in Saragossa. There was danger not only that the Conversos would be massacred, but that the Juderías and Morerías would be sacked. Ferdinand and Isabella obtained from Innocent VIII in 1487 a Bull ordering all princes and rulers to seize and deliver to the Inquisition of Spain any fugitives from its justice. This practically outlawed all refugees, and when Portugal obtained its Inquisition an agreement was come to between the two countries that the fugitive was to be tried in the country where he was captured, and the Inquisition from which he had fled was to furnish the evidence. This is the reason that we meet with so many Portuguese victims in the Spanish autos-de-fé. The Spanish tribunals had jurisdiction over Portuguese refugees in Spain.

This assassination of Arbues gave the Inquisition ample opportunity to make a profound impression. By the punishment of fifty or sixty individuals, Arbues was sufficiently avenged, and the sanbenitos of the convicts were hung as customary in the cathedral of Saragossa, where they are still to be seen. Luis de Santangel was one of the culprits beheaded and burnt for the crime. He was a descendant of Rabbi Azarias Ginillo. His cousin, who advanced to Isabella the 16,000 ducats which enabled Columbus to discover the New World, was penanced in 1491.

#### CATALONIA AND THE BALEARIC ISLES.

Catalonia, though more intractable than her sister kingdoms, had eventually to yield to Ferdinand's unchangeable determination that the Inquisition should perform its work. Barcelona submitted to its first auto in 1498, but furnished only four living victims and the effigies of twelve fugitives! Ferdinand's declaration that no *fuero* or law should obstruct the Inquisition, but that its jurisdiction was supreme over all others, became practically engrafted upon Spanish common law, but even Ferdinand was powerless to suppress

the official malfeasance of knavish receivers. He rebuked them but did not punish, and this tenderness for malfeasance continued throughout the career of the Inquisition.

In the Balearic Isles the delay in introducing the Inquisition gave opportunity for flight, so that for years the chief business of the tribunal in the kingdom of Majorca was the condemnation of fugitives. Thus in one auto of 1493 there were but three relaxations in person to forty-seven in effigy, and in 1497 not a single living victim was punished, and the only excitement provided was the burning of the bones of one dead heretic and of fifty-nine in effigy. Yet horrible abuses were no less rife in the Balearic Isles than elsewhere. The Concordia of Monzon proposed some reforms and "there is a hideous suggestiveness in the provision that, when perjured testimony has led to the execution of an innocent man, the inquisitors shall do justice, and shall not prevent the king from punishing the false witnesses" (i. 271).

#### LEO X.

Leo X, distinguished though he was as a cultured aesthete, does not shine in Lea's book. When Ferdinand died his Holiness sat on the fence. He waited to know whether the new monarch Charles desired to continue the policy of his grandfather, but, though he dispensed Ferdinand from his oath of observing the Concordia, he did in 1516 most solemnly confirm them in his Bull *Pastoralis Officii*, in which he declared that the officials of the Inquisition transgressed the bounds of reason, and he subjected those who contravened the ordinary and ecclesiastical secular law to excommunication. But the inquisitors remained persistently arrogant under royal favour, and the people struggled in vain for relief from their oppression. The Holy Office had become part of the settled policy of the House of Austria in their war against Jews and Lutherans.

The system grew to be an integral part of the national institutions to be uprooted only by the cataclysm of the French Revolution

and the Napoleonic war. At what cost to the people this was effected is seen in the boast, in 1638, of a learned official of the Inquisition that, in its favour, the monarchs had succeeded in breaking down the municipal laws and privileges of their kingdoms which otherwise would have presented insuperable obstacles to the extermination of heresy, and he proceeds to enumerate the various restrictions on the arbitrary power of the secular courts which the experience of ages had framed for the protection of the citizen from oppression, all of which had been swept away where the Inquisition was concerned, leaving the subject to the discretion of the inquisitor (i. 288).

#### COMBINATION OF SPIRITUAL AND TEMPORAL POWER.

The second book deals with the relations of the Inquisition with the State, but these are technical matters which, though interesting in themselves and important, need not be here considered at any length. The Spanish Inquisition owed its terrible efficiency to its combining the mysterious authority of the Church with the secular power of the Crown. It wielded both the spiritual and the temporal swords, and the combination produced a tyranny similar to that "which England suffered during the closing years of Henry VIII as supreme head of the Church" (i. 289). Ferdinand did not want the Inquisition to be independent of the Crown. During his life he maintained control, but under Charles V it began to develop practical independence. This was due to Adrian's influence over Charles. Philip II, for all his ridiculous love of detail, did not interfere with the inquisitor-general's responsibility, though, at one auto in Toledo in 1615, he exercised the royal prerogative by increasing a Lutheran's punishment to perpetual imprisonment and adding 200 lashes. Cardinal Espinosa, the inquisitor-general who established the Inquisition in America, died in 1572 in consequence of a reproof from Philip II. The succeeding kings were feeble, and always yielded to the superior strength of mind of the Suprema, but in 1700, with the accession of Philip V, a Bourbon, who brought from France a Gallicanism and principles of high royal prerogative quite incompatible with the

pretensions of the Curia and quasi-independence of the Inquisition, a new era opened in the relations between the Crown and the Holy Office.

#### REFORMS ATTEMPTED.

In 1714 steps were taken to reform the Inquisition so as to render it an instrument for executing the royal will and avoid the invasions of the royal jurisdiction which had been so constant and audacious. Dr. Dellon had led the attack upon the Inquisition, but years elapsed before it confessed itself beaten. The Crown insisted on its right to select the heads of the Inquisition, but its practical control was weakened by the claim of the Suprema to interpose between the king and the tribunals, insisting that the royal commands must pass through the Suprema, and thus substituting bureaucracy for autocracy. In the Suprema, a century and more before the advent of the Austrians, a convenient phrase had been coined, *obedecer y no cumplir*, "to obey but not to execute," and thus nullify the royal wishes. Lea dilates upon the power acquired by the Suprema through its practical, though not theoretical, financial independence of the sovereign from the earliest times. The American Inquisition were flagrant offenders. Between 1630 and 1650, when the whole trading communities of Peru and Mexico were shattered, the tribunals became immensely rich, but no royal official was allowed to penetrate into their pecuniary secrets. Philip V, however, reasserted the right of the Crown to confiscation, and by 1727 forced the Suprema to restore the confiscations, and that was the real death blow of the Inquisition. Under the House of Bourbon the subordination of the Inquisition became recognized, whilst its jurisdiction was curtailed and its influence diminished.

At every auto-de-fé a notary of the Inquisition held up a cross and made the people raise their hands and swear oaths of obedience to the Inquisition, and when the sovereign was present, besides the general oath he had to

take a special one. In 1588 in Lima there was great scandal when the inquisitors claimed precedence over the Viceroy of Peru, and carried their point by excommunicating him. But it was the inviolability claimed by the Inquisition for all its servants that made the institution so very obnoxious to people as well as to Crown. It was a recognized theory with the Holy Office that scandal was more to be dreaded than crime, and so the inquisitors enforced respect for its authority by sheltering even criminals if they were in their service. It was a long struggle, in which religion was in no way concerned, for the Holy Office sought to arrogate to itself control over a constantly widening area of secular affairs while claiming release from secular obligations.

#### PRIVILEGES AND EXEMPTIONS: BENEFIT OF CLERGY.

We can pass rapidly over the chapters dealing with the privileges and exemptions claimed by the Holy Office. Its officials claimed to be exempt from taxation and customs from billeting of troops and military service, while proudly insisting on the right to bear arms and hold secular office, and the right of asylum. Even as late as 1818, the Suprema succeeded in obtaining a royal order exempting the salaries of its officials from income tax (i. 384). From the first, the Inquisition had been worked upon commercial lines, regardless of the protests and opposition of the cities whose revenues were impaired and whose laws were ostentatiously disregarded. It exploited its exemptions from taxation and octroi duties by opening shops for the necessities of life. The abuse of its power for unlawful gains and benefits excited exasperation even among those most zealous in the extermination of heresy.

Lea next devotes a long chapter (i. 427 seq.) to the consideration of the exclusive jurisdiction which it sought to establish over all who were connected with it, not only between themselves, but between them and the rest of the community.



Throughout the Middle Ages the benefit of clergy exempted clerics from the jurisdiction of the laity. Already in 1488 Ferdinand issued a *cédula* that no secular tribunal was to take cognizance of anything that concerned ministers and familiars of the Inquisition (i. 429). This enabled laymen subject to the secular courts to obtain immunity from their crimes on the pretext of being familiars. In doubtful cases, the evidence was to be sent to the court of the king, and a majority was to decide as to the jurisdiction. This process of adjudicating disputes became known as *competencia*. But the Inquisition never scrupled to excommunicate even the royal judges if they ventured to try a person whom it claimed as one of its officials. Thus all criminal judges lived in an atmosphere of dread lest, at any moment, the honest discharge of their functions might precipitate them into a disastrous conflict with the tribunal. After protracted effort a Concordia was granted to Valencia in 1554 limiting the inquisitors in their right of interference, but the inquisitors took great care that the new Concordia should not be printed, and as a fact it was never published for general information. The Inquisition seems to have spared no pains to make itself detested, and thus it is not surprising that by 1677 the Suprema had so fallen in public esteem that, for instance, in Barcelona it was able to secure but one familiar. Wherever a province retained institutions through which public opinion could assert itself, as in Castile or Aragon, stubborn resistance was offered to the arrogant pretensions of the Inquisition, but in all these struggles there was no question of freedom of conscience, and no desire to limit the effectiveness of the Holy Office as the guardian of purity of faith.

The Castilian, like the Catalan, looked with exultation on the triumph over heresy in the autos-de-fé, and he desired only to set bounds to the intrusion of the Inquisition on the field of secular justice (i. 486).

## CONFLICT WITH COURTS SPIRITUAL AND SECULAR.

The spiritual courts as well as the secular had perpetual conflicts with the Inquisition (i. 493). Notoriously lax as were the episcopal courts with offenders of the cloth, the Inquisition had the reputation of still greater indulgence towards those who were under its protection. In cases of conflict an appeal lay only to the Suprema, for Spain's traditional jealousy of the interference of Rome made it impossible to appeal to the Holy See. Ultimately in 1612 some sort of compromise was effected by a royal decree that episcopal Ordinaries should have exclusive jurisdiction over offences relating to clerical duties and offices, to simony and spiritual matters, while inquisitors should have cumulative jurisdiction with the Ordinaries, depending on priority of action, in public and scandalous offences such as incontinence, usury, gambling, and the like. Towards the end of the seventeenth century a quarrel arose between the government of Minorca and the Inquisition, and, as the Mallorquin tribunal had claims to consideration arising from vigorous proceedings against Judaizers and the large resultant confiscations, the Suprema supported it against the pope himself.

## THE JUNTA MAGNA.

In 1696 a serious effort was made to effect a radical reform of the abuses of the Inquisition by a Royal Commission known as the "Junta Magna," which drew up a "Consulta Magna" (i. 511). This memorial constituted a terrible indictment of the abuses by the Inquisition of its temporal jurisdiction, with ample proof of flagrant cases and its graft, followed by a consideration of possible remedies, but this too was consigned to the limbo in which reposed so many previous memorials. The inquisitor-general worked upon the king through his confessor. When Philip V called for it in 1701 no copy could be found in the archives! It is true that, for a special reason, hereafter referred to,

there was for some years a recrudescence in heretic baiting, and more autos-de-fé are recorded between 1714 and 1726 than for generations previously and after. In 1703 the King did make an attempt at reform, but his vacillation was such that nothing came of it. But the eighteenth century would no longer tolerate the abuses which had been so common in the seventeenth. The lay tribunals would not brook interference by the Suprema, nor did they mind interdicts and excommunications. Step by step its old privileges were curtailed. In 1734 Philip decided that a salaried officer should be tried by the ordinary courts. In 1747 Fernando VI gave the council of Castile jurisdiction over the officials of the Inquisition. Remonstrances were not wanting, but proved ineffectual. The resolute Carlos III was even more assertive of the royal prerogative than his brother Fernando, and in 1763 entirely removed familiars, as laymen, from the jurisdiction of the Inquisition.

Such conflicts of jurisdiction between the lay tribunals and that of the Inquisition, and the attempted settlement thereof by the process of *competencia*, are very fully detailed by Dr. Lea, but they are not without parallel in our own country, where, until the Judicature Acts, there was a joint jurisdiction of the courts of Equity and Common Law, each jealous of the other, and each desirous of catching all litigants in its net. But the Spanish Court had an irritating habit of refusing the form of *competencias* on the ground that its rights were too clear to admit of debate. From 1634 a Junta did exist, composed of two members each of the Suprema and Council of Castile, to settle disputes, but the Junta rarely met, and if it did the two pairs of members always voted on opposite sides and produced a deadlock, until in 1721 Philip V decreed that a fifth member should be appointed, so that a majority was always assured. It is to the irritating arrogance of the Inquisition rather than to its cruelty that Lea attributes the detestation that it excited.

If the people regarded it as a whole with awe and veneration as the bulwark of the Catholic Faith, their hatred was none the less for its members, and the perpetual struggle against the tremendous odds of its power, supported by the unflinching favour of the Hapsburgs, bears equal testimony to the tenacity of the Spanish character and to the magnitude of the evils with which the Inquisition afflicted the nation (i. 525).

#### ABUSES.

None can doubt the truth of Spinoza's theme in the *Tractatus Theologico-Politicus*, that freedom of thought cannot be denied without danger both to public peace and true piety. Spinoza himself was of a Marrano family which had suffered through the Inquisition, and its horrors doubtless influenced his thought.

Lea writes throughout with studied moderation, but even he cannot repress his feeling of indignation as he details the various abuses that prompted popular hostility. One curious detail is worth mentioning which is paralleled in our own country. The familiars of the Inquisition could not be restrained from trading, and traders in fact eagerly sought the position in order to have the Inquisition at their back so as to secure unfair advantages over their competitors. This is an abuse which has been found to attach to consular officials also, so that it has become almost a dogma in modern practice to refuse consulships except to the diplomatic service and to avoid mercantile consuls so far as possible.

The decadence of the Inquisition in the eighteenth century, though it diminished its powers of oppression, failed to allay the persistent antagonism it excited. Spaniards abhorred Jews and heretics, but they dreaded and detested the Inquisition for abusing its privileges in matters wholly apart from its functions as the guardian of the faith.

#### TORTURE.

The third volume, like the first, is of more special interest to the Jews, nearly a quarter dealing either directly or

indirectly with them. We pass over the preliminary chapters with regard to Torture and the Trial, and also the seventh book, which deals with Punishment under the respective headings of "The Sentence," "Minor Penalties," "Harsher Penalties," "The Stake," and "The Auto-de-Fé," but one or two points may be referred to. Lea very fairly says that the Spanish Inquisition was not responsible for the introduction of torture, and that it was less frequent and less cruelly applied than by the secular courts, but the tender mercies of the wicked are cruel, and we see that there was no absolute limitation on the severity of torture, and indeed in some cases it was resorted to time and again. Many cases are recorded in which the accused submitted to torture without confession, and in several the immediate pain of the torture might cause a confession which would be followed by a revocation of the confession, and then torture again, and again revocation. Thus in 1643 Engracia Rodriguez, 60 years of age, had a toe wrenched off while in the *balestillón*, and then an arm was broken. The torture was stopped without a confession having been extorted, but ten months later she confessed to Jewish practices. Many victims died under torture, and though it is ghastly reading, nothing can perhaps better bring home to us what this torture meant—and, as Lea says, it was only the "very moderate case of water torture"—than to reproduce here part of a quotation from the official report given by Lea. This was in the case of a Jewess, Elvira del Campo, who was tortured on April 6, 1568, by the tribunal of Toledo. She was accused of not eating pork and of putting on of clean linen on Saturdays. She admitted the acts but denied heretical intent, and was tortured on intention.

She was carried to the torture-chamber and told to tell the truth, when she said that she had nothing to say. She was ordered to be stripped and again admonished, but was silent. When stripped, she said, "Señores, I have done all that is said of me and I bear false witness against myself, for I do not want to see myself in such trouble; please God, I have done nothing." She was told not to bring false testimony against herself, but to tell the truth. The

tying of the arms was commenced; she said, "I have told the truth: what have I to tell?" She was told to tell the truth, and replied, "I have told the truth and have nothing to tell." One cord was applied to the arms and twisted, and she was admonished to tell the truth, but she had nothing to tell. Then she screamed and said, "I have done all they say." Told to tell in detail what she had done, she replied, "I have already told the truth." Then she screamed and said, "I have done all they say. Tell me what you want, for I don't know what to say." She was told to tell what she had done, for she was tortured because she had not done so, and another turn of the cord was ordered. She cried, "Loosen me, Señores, and tell me what I have to say; I do not know what I have done. O Lord, have mercy on me, a sinner!" Another turn was given. She said, "Loosen me a little that I may remember what I have to tell; I don't know what I have done; I did not eat pork, for it made me sick. I have done everything. Loosen me, and I will tell the truth." Another turn of the cord was ordered, when she said, "Loosen me, and I will tell the truth. I don't know what I have to tell; loosen me for the sake of God. Tell me what I have to say; I did it, I did it. They hurt me, Señores. Loosen me, loosen me, and I will tell it." She was told to tell it, and said, "I don't know what I have to tell—Señor, I did it—I have nothing to tell—oh, my arms, release me, and I will tell it." She was asked to tell what she did, and said, "I don't know; I did not eat because I did not wish to." She was asked why she did not wish to, and replied, "Ay! loosen me, loosen me; take me from here, and I will tell it when I am taken away—I say that I did not eat it." She was told to speak, and said, "I did not eat it, I don't know why." Another turn was ordered, and she said, "Señor, I did not eat it because I did not want to—release me, and I will tell it." She was told to tell what she had done contrary to our holy Catholic Faith. She said, "Take me from here, and tell me what I have to say—they hurt me—oh, my arms, my arms!" which she repeated many times and went on, "I don't remember—tell me what I have to say—oh, wretched me!—I will tell all that is wanted, Señores—they are breaking my arms—loosen me a little—I did everything that is said of me" (iii. 24).

Torture was repeated, for instance, in the case of Miguel de Castro, tried for Judaism at Valladolid in 1644. He was tortured and confessed, after which he ratified, revoked, and ratified again. He was tortured again, during which he confessed, and then revoked the confession. He would have been tortured a third time, but the physician and

surgeon declared him to be unable to endure it. The Suprema ordered him to be relaxed to the secular arm if he could not be induced to return to the Church. Finally he confessed, and was sentenced to reconciliation and irre-missible prison and *sanbenito* with 100 lashes, which was executed on January 21, 1646 (iii. 29).

With regard to the punishments little need be said. One curious punishment especially adapted to Judaizers and Moriscos was *vergüenza* or shame. The victim was not lashed, but was stripped to the waist and paraded through the streets while the town crier proclaimed his sentence. We are informed that many regarded death as a mercy, preferring to die rather than submit to *vergüenza* (iii. 138).

#### JEWS IN PORTUGAL.

The chapter on Jews in the third volume is a fascinating description of their condition in Spain after the expulsion. They differed from the Moriscos, in that the campaign against the religion of the Moors was so successful that, early in the seventeenth century, Moriscos disappear from the records of the tribunal. But for more than a century later, though expelled a hundred years before the Moors, Marranos or Jewish New Christians provided the chief part of the work of the Inquisition. Lea points out that, in their coerced conversion, the Church took no pains to instruct them in their new religion, that they were prosecuted and persecuted upon the slenderest of proofs, that, like Islam, Judaism had tended to disappear in Spain in the reign of Philip II till the situation was entirely changed by the conquest of Portugal in 1580. The Jews in Portugal who had flocked there from Spain at the time of the expulsion met with kindly treatment by King Manoel, of whom the present king is the namesake, at his succession in 1495. His marriage with the daughter of Ferdinand and Isabella, however, caused him to issue a general edict of expulsion, excepting children under fourteen, and practically all of these were forced to accept baptism, though for

twenty years they were to be exempt from persecution. In 1499 they were forbidden to leave Portugal without royal permission. Then came the awful Lisbon massacre of 1506, which produced a revulsion of feeling, so that in the following year the restrictive laws of 1499 were repealed. The New Christians flourished exceedingly till Manoel's death in 1521, but his successor was more rigorous, and in 1531 Dr. Bras Neto, the ambassador at Rome, obtained from Clement VII briefs establishing a Portuguese Inquisition on the Spanish model. The New Christians by lavish payment of blackmail secured the friendliness of Rome, and on the whole they were not badly treated.

#### OVERTURES FOR TOLERATION.

As with the Spanish Marranos, Rome recognized that the rich New Christians of Portugal would afford a rich harvest.

This speculation in human agony was the more lucrative that Portugal was comparatively feeble and could be treated with much less ceremony than Spain. . . . Thus in 1534 some twenty or thirty thousand ducats were to be extorted. . . . In transmitting this proposal the Portuguese Ambassador added that nothing could be done in the Curia without money, for this is all they wanted. . . . Clement, who was rapidly approaching his end on July 26, ordered the nuncio to overcome by excommunication all opposition to the pardon, and forbade all prosecution for past heresies, moved to this, as Santi-quatro told Paul III, by his confessor, who insisted that, as he had received the money of the New Christians, he was bound to protect them. . . . The struggle was renewed under Paul III . . . the nuncio, della Rovere, entered into a contract with the new Christians, dated April 24, 1535, under which they promised to pay Paul III 30,000 ducats if he would prohibit the Inquisition, confining prosecution to the bishops, who should be limited to ordinary criminal procedure; smaller sums, moreover, were provided for less desirable concessions. The Curia honestly endeavoured to earn the money, and made several propositions to João, which he rejected; then, on November 3, a Bull was solemnly published in Rome, renewing the pardon-Brief, annulling all trials, releasing all prisoners, recalling all exiles, removing all disabilities, suspending all confiscations, prohibiting all future prosecutions for past offences, and enforcing these provisions by excommunication. . . . The New



Christians declined to pay the full amount, and della Rovere was not able—at least so he said—to remit more than 5,000 ducats. This parsimony came at an unfortunate moment. The result of this was seen in a Brief of May 23, 1536, which constituted an Inquisition on the Spanish model, except that, for three years, the forms of secular law were to be observed, and, for ten years, confiscations were to pass to the heirs of the convicts. Diogo da Silva was to be inquisitor-general (iii. 240-1).

#### PAPAL NUNCIOS.

Capodiferro was appointed nuncio, and during his stay in Portugal received 1,800 cruzados per annum, in addition to the profit he derived from his pardon traffic. "In 1554 Julius III, in a moment of wrathful candour, told the Portuguese ambassador that nuncios were sent there to enrich themselves as a reward for previous services." The New Christians were not the only subject of quarrel between João and Pope Paul III. The Bishop of Viseu had fallen into disfavour with his royal master, and his appointment in 1542 as Cardinal so offended the King that it gave rise to "fears that Portugal was about to withdraw from the Roman obedience." This deprived the New Christians of such aid as they had purchased in Rome, and left Henrique (the King's brother and then inquisitor-general) in peaceable possession of the inquisitorship. He established six tribunals, Lisbon, Evora, Coimbra, Lamego, Porto, and Thomar, of which only the first three remained permanent. Lippomano was appointed nuncio, but got no further than Valladolid. His secret instructions were to fight the Inquisition. "As for the Inquisition, it would be a most holy thing to abolish it and commit the jurisdiction to the bishops." A settlement was ultimately arrived at, and at the end of 1544 he was recalled, and abstained from aiding the New Christians. After much angry negotiation Ricci was appointed a new nuncio. He reported adversely to the Inquisition, and the Pope,

assuming that the brief of 1536 had established it for ten years only, notified João that the term had expired: in deference to him it was

prolonged for a year, but he was told that, within that time, the question as to the New Christians must be definitely settled; it was suggested that a general pardon could be granted, or that he could banish them all from his kingdom. . . .

The gold of the New Christians had not been spared in Lisbon or in Rome. João evidently felt that the turning-point had come and that some supreme effort must be made to outbid his subjects. . . . He forwarded bills of exchange for 33,000 cruzados (to Cardinal Farnese, the favourite grandson of Paul III). . . . Julius III was as mercenary as his predecessor. In 1551 João, in response to a hint that a present was desirable, sent him a magnificent diamond, valued by the Roman jewellers at 100,000 cruzados. . . . Julius declared that he would make it an heirloom in his family (iii. 251-2).

Next year he asked for another gift, and in 1554, after making Henrique perpetual legate, João sent him a brooch. After his death the regency in 1562 sent Pius IV a couple of rings, "to which he loftily replied that he did not desire such gifts, but he had previously had them appraised and found that they were of little value."

#### FINAL TRIUMPH OF THE PORTUGUESE INQUISITION.

In 1546, bribed by the See of Viseu, Paul sacrificed his protégés, but with a semblance of decency demanded that there should be a general pardon for past offences, and the granting of a term during which those desiring to emigrate could leave Portugal. Lea remarks as to this that,

The Holy See has been stained with many examples of nepotism and rapacity, but its history has furnished few transactions of more shameless effrontery in sacrificing those whom it was pledged to protect. A brief of safe conduct had been secretly issued inviting the Portuguese New Christians to Italy, with assurance of not being disturbed on account of their religion . . . those who had been baptized at birth came and were immediately circumcised, and filled the synagogues under the very eyes of the pope—the inference being that he desired free emigration from Portugal, in order that Italy might benefit by the intelligence and history of the apostates, an argument which was freely used and was not easy to answer. . . . (iii. 253).

Thus after a contest lasting through seventeen years the Inquisition was fastened upon Portugal, and, in reviewing the kaleidoscopic vicissitudes of the struggle, we cannot trace in any act of the Holy

See a higher motive than the sordid one of making out of human misery a market for the power of the keys and selling it to the highest bidder (iii. 257). . . . A long struggle ensued among the Portuguese Ambassadors (at Rome) and the New Christians, in which for some time the latter were successful (iii. 258).

Paul IV, who succeeded in 1555, and Pius IV at the end of 1559, both coquetted with the New Christians, but did not give them what they wanted, and they had to abandon all hope when the latter made his peace with the King of Portugal, and "Cardinal Henrique was re-appointed legate *a latere* in all matters concerning the faith, thus cutting off all appeal and all interference with the Holy Office" (iii. 259). When the Portuguese Inquisition becomes active, the names of witnesses being no longer published, the number of condemnations mightily increases. Lea says that no auto was celebrated in Lisbon till 1559, nor in Coimbra till 1567, though autos occurred in Evora in 1551, 1552, 1555, and 1560, after which date they became more frequent and severe, although till the conquest of Portugal by Philip II in 1580 the whole number of Jews recorded in the three tribunals was only thirty-four. Lea admits that the lists are very defective for the early years, and as a matter of fact those given in the *J. Q. R.*, XIII and XIV, show how inaccurate are these details. The authorities quoted in the *J. Q. R.* give an auto at Lisbon in 1531, one at Evora in 1541, and no less than forty-three autos up to 1580.

#### THE SPANISH CONQUEST AND IMMIGRATION OF PORTUGUESE JEWS INTO SPAIN.

When Portugal became Spanish the activity of the Inquisition immensely increased, but in the American colonies of Portugal no tribunal was ever established, although the New Christians of Brazil helped the Dutch to obtain a foothold there, as they successfully did on the Malabar coast of India, and Lea notes the fact that in the treaty of 1810 with England "Portugal bound itself never to establish the Inquisition in its American possessions" (iii. 262). Although

the main object of the Inquisition was to purify Portugal from Judaism, it also exercised "its blighting influence on the intellectual development as well as on the material prosperity of Portugal" (iii. 263). George Buchanan, who was Professor of Greek at Coimbra in 1547, was imprisoned as a heretic, but eventually escaped to England. When in 1578 Cardinal Henrique succeeded to the crown of his grandnephew Sebastian, he did not resign the inquisitor-generalship for fifteen months. Next month he died, "universally detested, and only regarded because in the rivalry of claimants to the throne and in the exhaustion of the land through famine and pestilence the way was open to the easy conquest by Philip II" (iii. 265). In the reorganization under the Spanish crown the Inquisition was not merged with that of Castile, but was left as an independent institution under the Archbishop of Lisbon. Curiously enough, the increased vigour of heretic baiting induced the Marranos to migrate to Spain, which would have seemed the last place to which they would care to go. With this immigration, convictions for Judaism in the Spanish tribunals largely increased, so much so that Portuguese became almost synonymous with Jew.

#### NEGOTIATIONS FOR A GENERAL PARDON.

In 1602 the New Christians commenced to negotiate with Philip III for a papal Brief granting them a general pardon for past offences. Dr. Lea tells us how Philip and his favourite Lerma were desperately in need of cash, and (despite the remonstrances of the Portuguese archbishops) all scruples were overcome by the dazzling bribe of 1,860,000 ducats to the king besides 50,000 cruzados to Lerma, 40,000 and 30,000 to two members of the Suprema, and 30,000 to its secretary. The papal brief was issued on August 23, 1604, and proved immediately effective. A great auto announced at Seville for November 7 was countermanded, 410 prisoners were released in Por-

tugal, and the great body of Portuguese Judaizers in Spain obtained valid absolution for all past sins during the twelvemonth of its duration" (iii. 267-70). The original documents dealing with this period were published in the *Revue des Études Juives* (1904-6), and are quoted by Dr. Lea. The wealth of the Portuguese Christians must have been very great. In their memorial praying for pardon they admitted themselves to be worth 80 millions of ducats, and were assessed on the basis of 75 millions. Their wealth was even slightly greater, for another MS. of Luys de Melo's *Católicas contra Ficciones Judaicas*<sup>1</sup> differs from the Bodleian MS. in giving their wealth as 83 millions instead of 80. For some years there was a marked interruption of persecution.

A writer remarks in 1611 that, in Seville, the Castle of Triana was used as a penitential prison, for there was no one on trial, the Judaizers having all been pardoned, the Moriscos expelled, and the Protestants suppressed. This episode, however, could have no permanent influence. . . . After this we hear little of the Old Spanish Conversos; nearly all Judaizers are Portuguese and all Portuguese are presumably Judaizers (iii. 270).

Efforts were made to check the transit of such Portuguese through Spain to France and Holland, "where the refugees were of material assistance to the national enemies." In 1601 Philip III, for 200,000 ducats, allowed New Christians to go to the Spanish and Portuguese colonies. In Brazil nearly all the sugar plantations were in their hands, but,

with the faithlessness customary in dealing with the proscribed race, this irrevocable permission was withdrawn in 1610. . . . Another decree of Philip III, April 20, 1619, called the attention of the inquisitor-general to the evils resulting from the multitudes of Portuguese passing with their families and property to France. . . . An eloquent memorial<sup>2</sup> also asked for the removal of all limitations. . . . The new Christians had greatly enriched the kingdom and the colonies by their labours (iii. 271-2).

<sup>1</sup> In the possession of E. N. Adler.

<sup>2</sup> This Memorial was also published in the *R. É. J.*, loc. cit.

## AGITATION TO EXPEL NEW CHRISTIANS.

In 1621 a Portuguese, Vicente da Costa Mattos, published a work seeking to drive them from the land. "They were enemies of mankind, wandering like gypsies through the world and living on the sweat of others. They had possessed themselves of all trade . . . Luther commenced by Judaizing. . . . All heretics were either Jews or descendants of Judaizers, as was seen in England, Germany, and other parts where they flourished; Calvin called himself the father of Jews. . . . Their perverse obstinacy was sufficiently proved by the numbers who were every day burnt, and the still greater number who escaped by penance after conviction" (iii. 272-3). Two pardons were granted in 1627 and 1630, besides an Edict of Grace published in 1622, which, however, only relieved sixteen persons. In 1630 Sotomayor reported that the new Christians wanted no more edicts of grace, and Luys de Melo asserts that the Inquisition had depopulated the various cities of Portugal. The inquisitors complained that their labours were unavailing, as Judaism was steadily increasing. Philip IV was urged by the Bishop of Faro to remedy the political dangers apprehended from the New Christians.

They were all secretly Jews . . . they secretly invested their capital in dealings with the Dutch and in Dutch commercial companies. . . . Israel has rarely had a more flattering tribute to its intellectual superiority than the fears excited by this remnant surviving through nearly a century of pitiless persecution (iii. 275-6).

In 1628 Philip consulted a "Junta" of Portuguese bishops, who assembled at Tomar and submitted a series of suggestions. They asked for the complete expulsion of the whole race, at least such as were full-blooded Jews. Philip assented to the exile of the reconciled and vehemently suspect. The bishops then recommended that all who desired should irrevocably expatriate themselves. The king replied that already there was unrestricted liberty to

go, but their return to the Peninsula should thenceforth be prohibited. The bishops next suggested that

to check the spread of Judaic infection by intermarriage, which was destroying the lustre of the nobility, no dower in such unions should exceed 2,000 cruzados. . . . The king assented. Finally, the bishops proposed that the New Christians should be wholly excluded from trade and commerce. . . . Philip answered rather curtly that it was none of their business (iii. 277).

#### INFLUX OF MARRANOS INTO WESTERN EUROPE.

In the result, the New Christians paid Philip 80,000 ducats for the privilege of leaving Portugal, under cover of which some 5,000 families emigrated to Castile. In 1632 the question of transit to France again came up. Many refugees were found in Saint-Jean de Luz when it was captured by the Spanish in 1636. Most of them, however, went to Holland, where their success was the chief cause of the effort to prevent immigration. Luys de Melo says 2,000 families had passed to Holland, and purchased the right to establish a synagogue. In 1640 Portugal recovered its independence, no doubt assisted by the New Christians. They were for a time somewhat leniently dealt with by the Inquisition, but although no Portuguese inquisitor-general had been appointed between 1653 and 1672 the supply of victims at autos seems as large as ever. Intermarriages between the New Christians and the Old had been so frequent, and "so large a portion of the population was thus contaminated, that foreigners generally regarded the Portuguese as all Jews." When, in 1622, João IV died, a New Christian named Duarte "made a liberal offer of money and troops for the defence of the land in return for a general pardon, the publication of witnesses' names, and permission to found a synagogue in which professing Jews might worship" (iii. 283). The attempt was abortive. A Jesuit, Vieira, an apostle of Brazil, intervened, urging the king to remove the distinctions between the Old and New Christians. The Inquisition, however,

penanced him. He escaped to Rome, where under numerous writings he denounced the Holy Office of Portugal "as a tribunal which served only to deprive men of their fortunes, their honour, and their lives, while unable to discriminate between guilt and innocence: it was known to be holy only in name, while its works were cruelty and injustice." In a note (iii. 285)<sup>1</sup> Lea upholds the authenticity of *Noticias recónditas y posthumas . . . de las Inquisiciones de España y Portugal*, Villa-franca 1722, as Ferreira's work; *Villa-franca* is London, the City of Freedom. At last, in 1674, the New Christians induced Clement X to issue a brief inhibiting further action in Portugal. Coimbra treated this as a general pardon and discharged its prisoners, but the other tribunals detained theirs.

The Inquisition was sullen and celebrated no auto-de-fé between the years 1674 and 1682, save three private ones in the Lisbon audience-chamber, in each of which there was but a single penitent (iii. 289).

This struggle with Rome weakened the Portuguese Inquisition, and even after its resumption in 1681 and triumphal autos in 1682 there were thenceforth comparatively few autos and victims.

#### PORTUGUESE IN SPAIN.

In Spain, however, the prejudice remained unabated. Like the Russian Count de Witte of our own day, a Spanish minister, Olivares, opened negotiations in 1634 with the Jews of Africa and Levant, and opposed the Inquisition. In 1641 he even suggested that Jews should be allowed to reside in a separate quarter in the suburbs of Madrid, with a synagogue such as that in Rome. But the Holy Office was too strong for him, and caused his downfall in 1643, after which the Suprema instructed the Valencia tribunal to forbid the landing of Jews from Oran. In some trenchant

<sup>1</sup> Dr. Lea cites the English Translation of this work by Moses Mocatta privately printed at London in 1845. It was reprinted and published at Philadelphia, Barnard and Jones, in 5620 (1860).



passages Lea deals with proselytism. He regards the charge that Jews proselytize as preposterous.

Judaism is a matter of race as much as of dogma ; the Jews have never sought to convert Gentiles. . . . What conversions there were were spontaneous, and these served to intensify the horror of Judaism and to keep alive the sense of danger (iii. 293).

Thus Lope de Vera had become so deeply learned in Hebrew and Arabic that his studies led him to embrace Judaism. Other instances are given by Dr. Lea. Little colonies of Portuguese kept being discovered. The Inquisition was always on the watch, and the utmost reserve was practised by the crypto-Jews ; "their children were not allowed to know anything of Judaism until of an age at which their discretion could be trusted." Jewish observances were only sporadically obeyed. "Judaism seems to have resolved itself into Sabbath keeping with occasional fasting, and into hoping to be saved in the law of Moses and in denying Christ and Christian doctrine." Outside the Portuguese immigrants,

which supplied the apparently inexhaustible harvest of culprits throughout the seventeenth century, there was one corner of Spain which escaped the influx and where the old Conversos continued to cherish their secret faith with little or no molestation (iii. 305). . . .

This was Majorca.

Here, indeed, the tables were turned, and in 1668 the inquisitors actually complained to the Suprema that the priests "talked of the Inquisition as a secret heresy, and that it was a den of robbers which should be abolished." But in 1677 a synagogue held in a garden attracted the inquisitor's attention. Wholesale arrests were made, and four autos were celebrated, and the confiscations amounted to a million and a half pesos. After this we are told that nothing more is heard of Judaism in Majorca.

#### EXCLUSION OF FOREIGN JEWS.

In the latter part of the eighteenth century and thenceforth the exclusion of foreign Jews exercised the Holy

Office more than the detection of native ones. Officers of the Inquisition visited ships at all Spanish ports. Baptized Jews were seized and their goods confiscated, but the unbaptized might "depart with the ship . . .

Still the indefatigable mercantile energy of the Jews and the venality of officials to a limited extent neutralized these precautions. . . . Those of Spain would go to sea by Nice, or elsewhere, to enjoy freedom of worship, while Italian Jews came to Spain to trade in spite of inquisitorial vigilance. Licences to come were occasionally issued. . . . In 1689 orders were specially issued to disregard an agreement which Don Pedro Ronquillo under powers from the king had made with an English Jew, enabling him to land at any port in Spain. . . . When in 1713, by the Treaty of Utrecht, Gibraltar was ceded to England, it was under the condition that no Jews or Moors should be permitted to reside there. The inobservance of this by England was the subject of complaint, but it is not likely that many intruders risked the dangers that attended the attempt of a foreign Jew to enter Spain (iii. 312).

Our author seems unaware of the large number of Jews in Gibraltar. Already at the end of the eighteenth century they were treated by the government as forming an important, a third, section of the native population.

In 1756, Abraham Salusox, a Jew of Jerusalem, ventured to Valencia with a lion for sale. The shipmaster reported him, and a familiar was deported to accompany him, day and night, on board and on shore, never to let him out of his sight, or to communicate with any one. The Count of Almenara bought the lion, and Salusox . . . re-embarked (iii. 313).

So with the Jew from Gibraltar who came in 1759 and others in 1761, 1762, and 1795. In 1797 the Finance Minister proposed that Jews might be allowed to establish factories in Cadiz, but the Council of Ministers rejected the project as contrary to law. During the Napoleonic wars, however, enterprising Jews had entered the country, and in 1819 the tribunal of Seville represented to the Suprema its perplexities arising from the influx of Jews at Algeciras, Cadiz, and Seville, who came to the tribunal begging for baptism. They were indigent beggars and

perhaps fugitive criminals. Down to 1819 no Jew could enter without a royal licence. In 1848 the anti-Jewish laws were not being enforced, and Jews could travel and trade in Spain without molestation. In 1854 Dr. Ludwig Philipson, Rabbi of Magdeburg, came to Madrid and pleaded that the Cortes should introduce into the constitution express permission for the Jews to come to the country, but it was not till the revolution which drove Isabella II from the throne "that the constitution of 1869 proclaimed freedom of belief and guaranteed it to all residents in Spain" (iii. 315). The constitution of 1876 preserved this principle, but forbade the celebration of religious ceremonies in public other than those of catholicism. And Lea concludes his chapter on the Jews with a quotation from the beginning of a series of articles of *Autos-de-fé* and Jew which appeared in the *J.Q.R.*, XIII, when he states that

It was a remarkable proof of conversion from ancient error when in 1883 the Jewish refugees from Russia sent by the organizing committees of Germany were enthusiastically received, although the experiment ended in disastrous failure (iii. 315).

#### MORISCOS AND LUTHERANS.

In the next chapter the Moriscos are discussed at even greater length than the Jews. The number of those exiled is variously given by the different authorities, and fluctuates from a maximum of three millions to a minimum of 120,000. Lea estimates that they exceeded half a million. The third chapter deals with the Protestants, but there were never many Protestants in Spain, and so they are dismissed in something less than seventy pages. The third volume concludes with a chapter on censorship. Till the Lutheran revolt, censorship was a function of the state. The Inquisition assumed control in 1521, and in 1539 the pope granted a faculty in the Commission confirming the appointment of Tavera, inquisitor-general, as successor to Cardinal Manrique. When the Lutheran scare was at its height Philip II ordered that no bookseller or other person should sell or keep any

book condemned by the Inquisition, and this under penalty of death and confiscation. Authorship was discouraged by this all-embracing censorship—"an engine of immense power, constantly applied for the furtherance of obscurantism, the repression of thought, the exclusion of foreign ideas, and the obstruction of progress" (iii. 549).

The fourth volume is devoted to the remainder of the work of the Inquisition, to its criminal as distinguished from its ecclesiastical jurisdiction.

#### CRIMINALS.

Crypto-Judaism was the cause of the establishment of the Inquisition, but it soon extended its jurisdiction so as to cover all offences against Spanish Catholicism, nor did it stop there. Crimes, which were also sins, were soon caught in its net. Five chapters treat of the different crimes with which the Inquisition concerned itself—mysticism, solicitation, sorcery, witchcraft, and bigamy. There are also chapters on heretical propositions such as that marriage is better than celibacy, or that the Vulgate is not infallible, or its text is inferior to the Greek and Hebrew originals. To this class of propositions belongs indulgence in freemasonry, philosophism and blasphemy, even non-heretical blasphemy. Propositions indeed were distinguished into ten classes, according as they were heretical, erroneous, savouring of heresy, ill-sounding, rash, scandalous, schismatic, impious, insulting, and blasphemous—a wealth of epithets which reminds one of the vocabulary of Rabelais. The tenth chapter of the eighth book is especially important as it deals with political activity and the manner in which the Inquisition became a political instrument and was used to enforce secular law as in the case of restraint on the export of horses. The last chapter again deals, under the heading of miscellaneous business, with other kinds of immorality and with such ecclesiastic offences as marriages in orders, personation of priesthood and officials, the hearing of confessions by laymen, saints transgressing the dogma of the immaculate

conception and abuse of the seal of confession. The case of usury is somewhat special. Here the Inquisition abandoned its jurisdiction, though usury was always regarded as an ecclesiastical crime; but the Suprema itself by a *carta* of 1554 forbade its tribunals to take cognizance of usury, inasmuch as usurers were not moved by erroneous belief, but by the desire for sordid gain. The non-ecclesiastical functions of the Inquisition were practically limited to such classes of crime as belong to the category of what the Germans call *Entgegnungs-Delikte*, in which an offence is committed against a person although such person is willing. Fault has been found with the author for dealing at rather full length with this somewhat unsavoury subject, but it is an important contribution to the social history of Spain and the Church and could not have been reasonably curtailed. The pity of it is that, towards everything except heresy, the Inquisition was inclined to be lenient and yet in the whole range of these offences it is only with regard to witchcraft that such leniency can be justified.

When Dr. Lea says (iv. 509) that it was only the technical heresy and not morality that was considered, he is quite right. It is true that such offences, excepting perhaps the abuse of the Confessional, could be dealt with by the ordinary law, outside the Inquisition, but the whole point of our author's elaborate investigation is to convince the impartial reader that the Inquisition was so jealous of its jurisdiction that, even where co-ordinate powers existed, it interfered with the exercise thereof.

#### MYSTICISM.

Spanish mysticism is a very fascinating subject and not the least readable of Dr. Lea's pages (iv. 1 seq.) are devoted to it. Santa Teresa, San Pedro de Alcantara, and Molinos are characteristic mystics of the seventeenth century. The Molinists were viewed with disfavour by the Church which indeed changed its policy of *laissez-penser* precisely

for them. It was perhaps justifiable that the Inquisition should seek to suppress the Molinists. The strange mixture of the sensual with the spiritual they displayed reminds one of the followers of Sabbatai Zevi and the Chassidim of contemporaneous Jewry<sup>1</sup>. It is strange to consider how catching an attitude or pose may become. The religions themselves could not be more different and yet the religiousness of their votaries is of the same kind, and indeed the same applies to irreligion. The wave of atheism which spread over Europe, induced by the works of such freethinkers as Voltaire, Hume, and Rousseau could not be stopped from entering Catholic Spain. At first the orthodox Spaniard treated freethinking more tolerantly than the uncompromising Protestants used to do. Formalism has a tendency to prefer mere negation to an informality; a dissenter is deemed worse than a mere infidel. Pablo Olavide, a young lawyer of Lima, became Superintendent of a foreign colony near Seville, which roused the jealousy of the Church and the Mesta, a body of shipowners whose pasturages had been limited by such colonization. He was denounced as a follower of Voltaire and was condemned for professing the fashionable philosophy. The private auto-de-fé at which he was condemned took place on November 24, 1778, and was the last *cause célèbre* of the Inquisition. He was "condemned to reconciliation," confiscation of property and eight years' imprisonment in a Convent (iv. 308-311).

The crime of Bigamy deserves special mention because the Inquisition acquired jurisdiction over it in consequence of its affecting Jews and Moors. Moors and the Spanish Jews were polygamists and therefore "bigamy like absti-

<sup>1</sup> Sabbatai Zevi, by the by, himself figures in the history of the Inquisition. In 1666 "the seaport tribunals were warned that some of the Portuguese would seek to join him, . . . so they were to be detained . . . and a report sent to the Suprema. Some four months later Barcelona forwarded the testimony taken in the case of four Portuguese thus detained."

nence from pork and wine and change of linen on Saturday, created suspicion of heresy" (iv. 316). In numerous cases the offence of bigamy is conjoined with Judaic practices.

#### ROYAL PIETY.

Clericalism was responsible for the expulsion of the Jews and Moriscos. It was "the leading factor in controlling the destinies of Spain, in resourcing its resources, in moulding the character of its people, and the Inquisition was its crowning work" (iv. 499). It was under the influence of clericalism that the toleration of the mediaeval period gradually gave place to the fanaticism of the Inquisition. When Dr. Lea goes on to say that there can be no question as to the sincere devoutness of Charles V one may be perhaps permitted to join issue. Deathbed regrets for not executing Luther at Worms and his testamentary charge to his son Philip II in all ways to favour the Inquisition are not in themselves proof that such piety dictated his policy during the vigour of his youth and manhood. But none will disagree with our author when he asserts that Philip II needed no such exhortation, or when he explains how Philip III, despite his piety, "had not energy enough to be an active persecutor" (iv. 500), though his will also contained the customary instructions to his successor to foster the Inquisition. It had become common form by that time. Philip IV was a willing slave to the Inquisition and, at the dictation of its Supreme Council, incurred war with England under Cromwell rather than sign a treaty forbidding the religious persecution of the English in Spain.

#### RECRUDESCENCE OF ACTIVITY IN 1720.

With the Bourbons, says Lea, a new era commenced in which fanaticism no longer dominates the policy of the State, and this though during the first third of the century there was a fierce recrudescence of Inquisitorial activity. It had long been a puzzle why just at this date there were so many autos-de-fé—at least ninety-three in ten years.

But this problem, like so many others, is solved by Lea. He suggests that it was due to the discovery of a secret synagogue in Madrid. Twenty families had worshipped there since 1707 and had, in 1714, actually elected a Rabbi about whom they consulted the Leghorn Jews. Five such Jews were relaxed and burnt in the auto of April 7, 1720, and this must have roused the other tribunals to activity. The Jews had grown careless of concealment, thinking the political conjuncture favourable to toleration, but they were bitterly to regret their false sense of security. Moreover, a new inquisitor-general, D. de Astorga y Cespedes, held office from 1720 to 1724, and showed great zeal, as instanced by his treatment of Macanaz. Ample details have been furnished in the JEWISH QUARTERLY REVIEW as to the particulars of the numerous autos-de-fé which took place during those few years. Not only are the details of the autos printed by the official publishers to the Inquisition at Madrid and Seville but the same relation is reprinted and perhaps pirated by other printers at Seville, such as Francisco Sanchez Reciente who quaintly describes himself as a printer with knowledge of Latin (*impressor con intelligentia latina*), Juan Francisco de Blas "*impressor major*," and Manuel de Rios. This proves that inquisitorial activity was not only official but popular and we miss in Lea a satisfactory explanation of the recrudescence he chronicles. With characteristic insight Dr. Lea explains that the religiousness so correct in form was in essence superficial, and that devotion even in Church was more honoured in the breach than the observance. It needed a Brief of Pope Urban VIII in 1642 to forbid the priests to smoke whilst celebrating Mass in Seville or to stain the sacred cloths with tobacco!

#### COMMERCIAL DISADVANTAGES.

One is irresistibly reminded of Russia when one reads how the enforcement of unity of faith at every cost led the Spaniards to burn and pauperize those among their subjects



who were economically most valuable and to expel its most industrious classes and its bravest soldiers. It was this suicidal policy that led to endless wars and rebellions and left Spain financially exhausted and drove the producer in despair from the soil. It was this that made commerce pass "into the hands of foreigners who dealt under the mask of *testas ferreas*—of Spaniards who lent their names to the real principles, for the most part the very heretics whom Spain had exhausted herself to destroy" (iv. 505). Barnuevo, the pompous cleric who edited the *Lima Auto* of 1735, actually boasts "that the determination to enforce unity of faith at all costs had rendered Spain rather a Church than a Monarchy, and her Kings Protectors of the Faith rather than Sovereigns. She was a Temple in which the altars were Cities and the oblations were men, and she despised the prosperity of the State in comparison with devotion to religion" (ibid.).

Lea goes on to remark that even an inquisitor could have a glimmer of the truth, as appears from the Memorial addressed to Philip IV by a member of the Suprema with regard to the Portuguese Jews. He gives as the authority for this memorial the *Boletín* for July to September, 1906. The memorialist seeks to prevent the exodus of Portuguese Jews which is depriving Spain of population and wealth, and proposes to win back those who have expatriated themselves by softening inquisitorial severity. A similar worldly view is expressed in the eleventh document of "Les Marranes d'Espagne et de Portugal sous Philippe IV" (Adler's MSS. in *R. É. J.*, 1904-6 frequently cited in the third volume in Book viii, chap. 1), but prejudices of the time were too strong, "the Judaizers were driven forth to aid in building up Holland" (and the author might have added England and France) "with their wealth and intelligence, and Spain in ever deepening poverty continued to cherish the ideals which she had embodied in the Inquisition" (iv. 507).

Lea does not think much of the argument that in the

sixteenth and seventeenth centuries the Inquisition preserved Spain from the religious wars which decimated Northern Europe but holds that the nineteenth century bore in an aggravated form the brunt which should have fallen on the sixteenth. In the turmoil of the Revolution the Inquisition died a natural death, but the Church filled the vacancy, and it is too early to predict what may be the outcome of the pending struggle between Church and State. The Inquisition stimulated indifference to morals, for it dissociated religion from morals and indeed aided in disseminating corruption "by its custom of reading at the autos-de-fé sentences *con méritos* of which the details were an effective popular education in vice" (iv. 510). Moreover, it was virtually an independent power in the State and dominated the land. Lea scouts the argument of the defenders of the Inquisition that during its existence no voice was raised against it. In his first volume he proves, from its own admissions, the hearty hatred felt for it and its officials and quotes the continuous complaints of the Cortes of the various Spanish States against it. The universal terror it inspired did perhaps induce among the Spaniards a feeling of habitual self-restraint. The yearly Edict of Faith kept its horrors constantly before the public, and "no other nation ever lived through centuries under a moral oppression so complete, so minute, and so all pervading" (iv. 516).

#### STATISTICS.

In dealing with the statistics as to victims, Lea keeps a middle course between Rodrigo's cool estimate of less than 400 who perished at the stake, and Llorente's "extravagant guesses" of 31,912 burnt in person and 17,659 burnt in effigy (iii. 518), figures exceeded by Amador de Los Rios who is not usually given to exaggeration. And here with a characteristic touch Dr. Lea, who is surely not a friend of the Inquisition, protests against Gallois, the abridger of Llorente, for classifying all personal relaxations as burn-

ings alive. In many, probably in most cases, the cruel kindness of the Inquisitors commuted burning alive to death by garrotting before burning, as though the slight diminution in the pain of death deprived death of its horror, but Lea is nothing if not accurate. He concludes that the material at hand is as yet "insufficient to justify even a guess at the ghastly total." He impugns the motives of those whose efforts to induce conversion showed that there was no absolute thirst of blood. Persecution was profitable, and had the Holy Office been a source of expense instead of income, it would probably never have been introduced and would certainly have had but a short and inactive career. As it was, it introduced intellectual torpidity, and accounts for the remarkable eclipse of Spanish intellectual progress after the sixteenth century. Such severe repression of thought was an ample explanation of the "decadence of Spanish learning and literature, especially when coupled with the obstacles thrown around printing and publication." Spain was kept out of the current of European progress and was secluded from the investigations and speculations induced, even among Catholics, by the Reformation. Material progress also became impossible and a nation in leading strings was bound to suffer more than the rest of the world in the "transition from absolutism to modern conditions."

Perhaps our author treats Llorente a little cavalierly. He talks of his "extravagant guesses" (iv. 518), and a few pages further on of the "reckless computations of Llorente which have been so largely accepted (ibid. 524). It is true that the first statement is qualified by an admission that Llorente's "figures are exceeded by Amador de los Rios, who is not usually given to exaggeration," but in a footnote Lea compares his own statistics with a view of showing how "entirely fallacious was the guesswork on which Llorente based his system."

Nine instances are given—(a) Toledo 1483-1501, (b) *ibid.* 1575-1610, (c) *ibid.* 1648-1794, (d) Saragossa 1485-1502,

(e) Barcelona 1488-98, (f) Valencia 1485-1592, (g) Valladolid 1485-92, (h) Majorca 1488-1691, (i) "all tribunals" 1721-27.

Now the Toledo records are, says Lea in iii. 551, "manifestly imperfect." Those of Saragossa are only from a seventeenth or eighteenth century MS., and they do not comprise e.g. an auto celebrated there on Oct. 24, 1487. Of Barcelona, Lea says that its records were notoriously in "complete disorder" already in 1544 (ii. 258). The Valladolid statistics given by Lea are merely those of *two autos-de-fé*. The Valencia records are incomplete (iii. 562). When Joseph Jacobs visited Alcala in 1888 thirteen packets treating of 280 trials at Valencia had not been calendared<sup>1</sup>. They were presumably removed to Madrid in 1897, but are only briefly referred to in the appendix to Catálogo i of the Archivo Histórico Nacional (p. 687). The *Relación de Autos-de-fé* there quoted may supplement the details of Legajo 98. The Majorca "records" are difficult to reconcile with the 722 cases of "reconciliation" (iii. 524), or Lea's total number of 139 relaxed in person with the 43 relaxed in 1691 alone, according to Garan's account in *La Fe Triunfante*, or the statement of "Judaism Extinguished," with the survival to this very day of *Chuetas*. And when he states (iii. 307) that "we hear nothing more of Judaism in Majorca; during the height of persecution elsewhere the tribunal celebrated two autos, May 31, 1722, and July 2, 1724 . . .," he omits the autos there of Sept. 15, 1721, and Dec. 17, 1730. But the last instance, "all tribunals 1721-7," is the most striking case to show how unreliable even Lea's statistics may be. He compiles them from a volume at Berlin containing "relacions" of sixty-four autos-de-fé between 1721 and 1727. Now this volume omits at least twenty-one autos held between these dates, particulars of which are given in the *J.Q.R.* (XIII, 413-7), and three others detailed in XIV (713). So far from Llorente exaggerating the figures for those dates there

<sup>1</sup> *Sources of Spanish Jewish History*, p. xii.

were actually 2,681 penanced or relaxed at ninety-three autos during the régimes of the thirty-five and thirty-six inquisitors, i.e. between 1720 and 1730, instead of Llorente's estimate of two killed outright, one relaxed in effigy, and twelve "penitenciados" yearly at each tribunal, i.e.  $15 \times 10 \times 16 = 2,400$  (*J. Q. R.*, XV, 433).

Another detail which is perhaps worthy of correction is the too sweeping statement that public general autos were abandoned in 1660. Not to mention those in Portugal, there were "general" autos at Granada on May 30, 1672, at Mallórca on Jan. 13, 1675, and a "public" auto at Llerena on Nov. 30, 1722, all of which are so described in the title-pages to their respective Relaciones.

#### ETHICAL VALUES IN HISTORY.

But these are minor defects, if defects at all. For the rest, the four volumes constitute an almost impregnable phalanx of sound scholarship and philosophic insight, based not upon the vague generalities of previous historians or the wild denunciations of eloquent pamphleteers, but upon untiring examination of original documents and records. Lea has been true throughout to the standpoint he adopts in his *Ethical Values in History*<sup>1</sup>—the remarkable presidential address he delivered four years ago to the American Historical Association. In that paper he breaks a lance with a critic of his own, the late Lord Acton. He denounces the exhortation of the Cambridge lecture to "try others by the final maxim that governs your own lives, and to suffer no man and no cause to escape the undying penalty which history has the power to inflict on wrong." He denies that we have the right to presuppose a fixed and unalterable standard of morality. That might "add piquancy to a narrative . . . by heightening lights and deepening shadows," but is a fallacy. Morals may not be purely conventional, but "there is scarce a sin in the

<sup>1</sup> New Era Printing Co., Lancaster, Pa., 1903.

Decalogue which has not been or may not now be regarded as a virtue, or at least as an allowable practice, at some place or time among a portion of mankind." We may condemn a superstition, though our conscience acquits the perpetrator of personal guilt. To the Hebrew priest, to a St. Louis of France, to a Chief Justice Hale, to a John Knox or a Philip II, or even to a Luther, "the preservation of his religion was the one essential thing, and no penalty was too severe for aught that threatened its supremacy. . . . The Massachusetts Law of 1658, under which Quakers were put to death on Boston Common, suffices to show that this conception of public duty was not confined to one race or faith. . . . Voltaire has sufficiently shown the use that may be made of trying one age by the standards of another in his mocking sketch of David, the man after God's own heart." The historian must live in the period he is describing and view life from its standpoint.

Thus alone can he give us an accurate picture of the past. . . . This is the true philosophy of history. . . . To inject modern ethical theories into the judgment of men and things of bygone times is to introduce subjectivity into what should be purely objective. . . . The historian who becomes an advocate or a prosecutor instead of a judge forfeits his title to confidence, and, if he aspires to be a judge, he should not try a case by a code unknown to the defendant. . . . He may often feel righteous indignation, but he should strenuously repress it as a luxury to be left to his reader. . . . The *affaire Dreyfus* and the massacre of Kischeneff show how the fires of the persecuting spirit are still occasionally re-kindled in their ashes. . . . To depict a man like Philip as a monster of iniquity, delighting in human misery, may gratify prejudice . . . but it teaches no lessons. To represent him truthfully as the inevitable product of a distorted ethical conception is to trace effects to causes and to point out the way to improvement.

It is in this spirit that Lea has depicted the history of the Spanish Inquisition, and the lesson he deduces from its melancholy record is that so long as any religion claims a monopoly of salvation it must produce stagnation and make progress impossible. "Competition in good works is the most beneficent sphere of human activity."

LEA'S KINDRED WORKS AND CONDEMNATION OF THE  
INQUISITION.

The Retrospect which concludes the History best enables the reader to ascertain Dr. Lea's view of the subject to which he has devoted a lifetime, and which he has made peculiarly his own. Happily it is not the last of the author's great works on the subject. His promised volume on "The Inquisition in the Spanish Dependencies" has just appeared <sup>1</sup>. Indeed, if one goes through a list of Dr. Lea's works, one is reminded of the story of Moses, who, angered and disheartened by the recusancy of his people, flung the tablets containing the Ten Commandments from him so that they fell, and as they broke on the ground, says the Midrash, each fragment was a precious stone and the world was enriched by numberless gems. The Inquisition of the Middle Ages is the central monument round which Lea's other works naturally group themselves. "Studies in Church History," "The Moriscos of Spain, their Conversion and Expulsion," "Chapters from the Religious History of Spain connected with the Inquisition," "Studies in Church History," "Superstition and Force," "The Papal Penitentiary," "Sacerdotal Celibacy," "Auricular Confession," "The Ecclesiastical Treatment of Usury," "An Anti-Masonic Mystification," "Lucero the Inquisitor," "A Sketch of the History of Mortmain," "Molinos and the Italian Mystics," and "Ethical Values in History," the lecture to which special attention has been drawn. All these are subjects on which Dr. Lea has naturally become the chief authority. Anything more unlike the savage denunciations of Llorente, the secretary of the Inquisition and keeper of its records, can hardly be imagined than the calm philosophic deliberations of the cultured publisher in Philadelphia, who, far away from the wrangles of theologians and the excitement of European politics, has reconstituted the story of the most human, because most

<sup>1</sup> New York, Macmillan Co., 1908.

inhuman, instrument of wrong that theological politician or political theologian ever invented.

It is his deliberate judgment, after following the career of the Spanish Inquisition from its foundation to its suppression, after examining its methods and its acts and appraising its influence and share in the misfortunes of Spain, that its work was almost wholly evil. But Lea finds an excuse for Isabella and the Hapsburg Princes for their share in the originating and maintaining the Inquisition in the fact that, for centuries, the Church has encouraged the universal belief that "heresy was treason to God, its extermination the highest service to God and the highest duty to man." In one respect Lea thinks the Inquisition operated humanely and rationally in its dealings with witchcraft, but the great lesson he derives from his study is that "the attempt of man to control the conscience of his fellows reacts upon himself. He may inflict misery but in due time the misery recoils on him or on his descendants and the full penalty is exacted with interest . . . . . The sins of the fathers have been visited on the children and the end is not yet" (iv. 533). Our author has also learned another profound philosophic truth in the melancholy story of religious Spain—a truth which is perhaps a paradox. "Unity of faith, once the ideal of statesmen and churchmen alike, is fatal to progress." Deploable as were the hatred and strife developed by the rivalry which followed the Reformation it raised the moral standards of both sides, broke down the stubbornness of Conservatism and rendered development possible.

The whole work, with its 2,423 pages, is completed by a most valuable, full, and careful index, which converts it into the best book of reference on the subject. Many inaccessible documents which constituted the author's *pièces justificatives* and interesting statistics and lists are relegated to the appendix in each volume, and confirm what Acton pointed out twenty years ago, that Lea chooses authorities which are not only rare but singularly appropriate and convincing.

E. N. ADLER.